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ABSTRACT

This report from the Senate Committee on Labor and Human Resources communicates the committee's approval of S. 1275 (which reauthorizes the Office of Educational Research and Improvement (OERI) through fiscal year 1999), suggests an amendment, and advocates the passage of the bill as amended. The central objective of the reauthorization bill is emphasized, i.e., to insure that what is learned from research has direct benefit upon classroom practice and learning, and it is noted that the heart of the bill lies in creating and strengthening the systems and the tools whereby research is adapted to address specific school and teaching challenges. This bill delineates for the first time the authority, responsibilities and functions of the OERI; clarifies its scope and mission; specifies what is within the OERI's discretionary authority; creates five new directorates to advance new, innovative, and even controversial educational ideas, concepts, and programs; creates a Distinguished Board of Governors to review the research agenda and operation of the OERI; creates a new Office of Dissemination; and redefines the mission of the educational research laboratories to bring proven practices into the classrooms. In addition this bill creates a new Teacher Dissemination Training Network to provide teachers with professional development in research; a National Council on Standards and Assessment; the Office of Educational Technology; two new discretionary grant programs to support the development of technology assisted instruction; a new educational exchange program designed to assist the nations of Central Europe and the Commonwealth of Independent States; a program to address the inadequacy of science equipment in many elementary schools; and the Parents as Teachers Program. This report includes a review of legislative consideration and votes in committee, discussions of the need for legislation, an overview, and the provisions of the bill; a regulatory impact statement; a cost estimate; a section-by-section analysis; and line-by-line notations of changes in existing law.
(ALF)

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OFFICE OF EDUCATIONAL RESEARCH AND IMPROVEMENT ACT

APRIL 9 (legislative day, MARCH 26), 1992.—Ordered to be printed

Mr. KENNEDY, from the Committee on Labor and Human Resources, submitted the following

REPORT

[To accompany S. 1275]

The Committee on Labor and Human Resources, to which was referred the bill (S. 1275) to reauthorize the Office of Educational Research and Improvement (OERI) to extend and improve the authorities for such Office through the fiscal year 1999, having considered the same, reports favorably thereon with an amendment and recommends that the bill (as amended) do pass.

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I. INTRODUCTION

The Office of Educational Research and Improvement serves as the Federal research arm of the Department of Education. It is the greatest national repository of educational research, innovation and new ideas. The Office of Educational Research and Improvement Reauthorization legislation seeks to make this Office a beacon of educational excellance—one which will assist educators, schools and states to chart a course of comprehensive educational improvement. The reauthorization bill upholds the Office's respon-

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sibility to support basic ongoing research. However, the central objective of the reauthorization bill is to insure that what is learned from that research has direct benefit upon classroom practice and learning. The heart of the reauthorization bill, therefore, lies in creating and strengthening the systems and the tools whereby research is adapted to address specific school and teaching challenges. Promoting quality, in short, is job one.

For the first time, the reauthorization bill specifically delineates the authority, responsibilities and functions of the Office in statute. The bill seeks to make unmistakably clear the parameters of the Office's scope and mission. In outlining the structure and the functions within the office, the bill specifies what is within the Office's discretion, and thus by omission, indicates that which is not within the Office's discretionary authority.

The bill furthermore strengthens the integrity of the Office. It does so through creation of five new directorates to advance new, innovative and even controversial educational ideas, concepts and programs. In addition, it creates a Distinguished Board of Governors to review the research agenda and operation of the Office. The bill requires that the Board be composed of nine men and women who have distinguished records of expertise in educational research and improvement.

The bill strengthens the educational dissemination and outreach functions through creation of a new Office of Dissemination. It redefines the mission of the educational research laboratories to bring proven practices into our classrooms. And in addition, it creates a new Teacher Dissemination Training Network to provide our nation's teachers with professional development in research.

In addition, the bill breaks new ground in two areas: in national educational standards and in technology. With respect to national educational standards, S. 1275 creates a National Council on Standards and Assessment that will be a coordinating body for the establishment of national educational standards that our young men and women will need to meet if they are to compete in our global economy. It further authorizes the Council to issue criteria for assessments as world-class and procedures for certification of assessments.

With respect to technology, S. 1275 seeks to expand the role that technology currently plays in the classroom and in school structure and management. It does so through the creation of an Office of Educational Technology that will serve as an advocate for the promotion and use of technology. The bill further requires that technology be an integral part of each National Directorate. In addition, the bill creates two new discretionary grant programs to support the development of technology assisted instruction.

Finally, the bill creates several important new educational programs which will greatly advance the educational interests of this nation. It creates a new educational exchange program that will focus upon both civics and government, and economics. It is designed to assist both the nations of Central Europe and the Commonwealth of Independent States as they struggle to establish and sustain a democratic form of government and build and sustain a capitalist economy.

The bill further creates a program to address the woeful inadequacy of science equipment in many of our nation's elementary schools by providing states funding to purchase critically needed science equipment. It establishes a Parents As Teachers Program to help parents learn more about methods they can use at home to improve their children's academic achievement. And it transfers the national historical map contest previously operated through the National Bicentennial Commission on the Constitution to the Department of Education so that it may continue to encourage students to learn more about the founding days of our democratic form of government.

The Committee believes that S. 1275 will support and promote educational research that is of the highest quality possible, and will provide the pipeline to bring that research into our nation's schools to strengthen student learning and achievement. The legislation was fashioned in a climate of consensus and enjoys strong bipartisan support. In fact, S. 1275 was reported out of both the Subcommittee and the Full Committee unanimously. It is the product of several hearings, and reflects the Committee's serious consideration of recommendations and reports by educators, researchers, education-related groups, private business and the Administration.

II. Legislative Consideration and Votes in Committee

S. 1275 was introduced by Senators Pell, Kassebaum, Kennedy and Hatch on June 11, 1991. It was referred to the Subcommittee on Education, Arts and Humanities which held hearings on March 7, and June 13.

On March 12 the Subcommittee met to consider S. 1275 and reported it unanimously with an amendment in the nature of a substitute.

On March 20 the Committee met to consider S. 1275 and reported it with an amendment in the nature of a substitute by a vote of 16 yeas and 0 nays. The vote to report S. 1275 to the Senate was recorded as follows:

Yeas	Nays
Kennedy	
Pell	
Metzenbaum	
Dodd	
Simon	
Harkin	
Adams	
Mikulski	
Bingaman	
Wellstone	
Hatch	
Kassebaum	
Jeffords	
Thurmond	
Durenberger	
Cochran	
Coats	

FORMAT OF THE LEGISLATION

As introduced, S. 1275 provided for a simple extension of the Office of Educational Research and Improvement. Amendments made at the March 12th and March 20th mark-up sessions entirely changed the bill, giving it a new framework and expanding its scope and content. In the months preceding the mark-up of S. 1275, several Senate members put forward individual bills which were used as the source of amendments to S. 1275. Various components of these measures were folded into the amendments offered in the nature of a substitute during the mark-ups. These included:

S. 551, the Parents as Teachers: The Family Involvement in Education Act of 1991 introduced by Senators Bond and Heflin,

S. 1016, the International Constitutional Democracy Act of 1991, introduced by Senator Pell;

S. 1162, the International Constitutional Democracy Act of 1991, introduced by Senator Pell;

S. 1820, the Technology for the Classroom Act of 1991 introduced by Senator Bingaman; and

S. 2371 the Buddy Systems Computer Education Act, introduced by Senators Coats.

III. Need for Legislation and Overview

Ongoing support for educational research and development is a fundamental responsibility of the federal government. Breakthroughs in research which strengthen the connection between teaching and learning charge the engine of educational excellence. Such research lights the way towards reform and innovation. As is the case with business and industry, the quality of our educationa. system depends heavily upon the investment we make in research and development. Education in this nation can only be cutting edge if there is a significant enough investment in research and development to update and redesign methodologies, systems and structures to meet the changing demands of our society and our economy.

The stake that we hold in federal educational research in best described in a report by the National Academy of Education:

> If we want well-designed institutions, good leadership, high standards, and public support for education, then we will also need imaginative research, just as we do in other vital endeavors that shape modern life, such as industrial technology and medical practice. To achieve our goals, we must continue to improve our knowledge of how learning takes place, while also promoting the strategies most productive for sustaining it. We must probe as deeply as possible into the dispositions of the different kinds of people we educate, providing them the direction, curriculum and learning strategies they will need to meet the future with confidence.
>
> While education researchers have not developed the equivalent of antibiotics or hybrid corn, their investigations have helped shape the structure and content of schooling and helped deepen our understanding of the education process. Education research has led to a fundamen-

tal reorientation in our knowledge of human development, learning theory and its applications, testing and assessments, the nature of disabilities, and curriculum design.

The pursuit of educational excellence becomes increasingly urgent as we advance toward the 21st century. Educators, parents, schools, states, business and communities all thirst for answers to structural educational problems. Report after report points to educational failure or inadequacy. However, some analyses point to solutions and to promise of a better future. Yet much of what could be used to help solve empirical educational problems is buried in the quiet tomes of research. And, in addition there are many shining examples of educational success which could be adapted to become an integral part of our system overall. We must offer the teacher struggling with multilingual classes methods of instruction that will cut through language barriers. We must offer school options for restructuring that improve the climate of learning. We must offer local school districts model educational programs which have proven their success, and methods for adopting these models into their own school systems. And we must offer states assistance with curriculum and assessment frameworks that speak to our national interest to educate our citizenry to compete vigorously in the global economy. It is clear that the Office can and must play a strong leadership role in seeing these promising solutions promoted and utilized so that research meets its potential for the educational improvement nationwide.

The Committee began consideration of reauthorizing the Office of Educational Research and Improvement with a serious concern that federal support for education research has been on the decline. A 1987 GAO study indicates that the federal investment in education research and development declined by 33 percent between 1980 and 1987 while federal support for research overall increased by 24% over that same period. The Committee is troubled by the fact that education research is often an easy target for cuts in difficult budget decisions, largely because its effects upon effective practice can rarely be demonstrated in the short-term. Rather, the impact of research cuts becomes more acute in future years, when there is no knowledge base nor data that can be drawn upon to improve educational practice.

The Committee is further aware that the inarticulation of the Office's mission and functions does little to build a broad base of support for the work of the Office. The Committee was very concerned that the current authorizing statute of the Office offers little indication of what the Office does. The current statutory language is extremely generic, lending itself to accountability concerns over the Office's operation: concerns such as undue political influence and persuasion, abrupt changes in research policy, and isolated research grants which have little connection to any central mission.

Thus the important contributions that projects supported by the Office have made to the advancement of education are not readily known. The Committee therefore began its reauthorization work with the goal of specifically delineating the functions and responsibilities of the Office, so that the nation would have a direct under-

standing of the federal educational research enterprise, particularly with respect to its organizational structure and its research projects.

In meeting the goal of organizing the Office in statute, the Committee took note of the considerable analyses of federal research offered by a number of researchers, research organizations, and educators. There was general consensus over the problems associated with the Office. Although most recommendations contained in these analyses were broadly defined, and not directed at specific policy changes, many of the provisions included in S. 1275 were extracted from the broader themes contained in these analyses.

Problems associated with federal education research pointed to the need to have a better definition of the mission of the Office, greater integration of research projects and synthesis of findings, greater connections to what happens in the classroom, and the need to involve teachers at every level in the development and use of research. Furthermore, there is general agreement that many of the Office's studies are funded only for short-term periods, lacking sufficient duration to provide a fair examination of the topic studied.

The Committee sought to address these problems in the various provisions contained in S. 1275. With respect to the need for a defined mission, S. 1275 establishes a system of five new National Directorates which will organize and coordinate research on topics within a specific mission area. These Directorates will advance new and even controversial research topics, as well as serve as the national repository of information in these areas.

To address the problem of integration and synthesis, S. 1275 reserves 10 percent of all dollars provided for the Directorates for coordination among research conducted through each Directorate, as well as synthesis of research findings. Recognizing that many projects are too short-term to be effective, the legislation requires that one or two centers be established within each Directorate for a period of ten years. With respect to teacher involvement, the bill enables teachers to be an integral part of the Office. It establishes a new teacher training program in research for teachers through the educational laboratories, and it requires that teachers who also have expertise or experience in research be included on the Distinguished Board of Governors.

Finally, and most importantly, the bill creates a whole series of mechanisms for insuring that research makes its way directly into the classroom. The Committee recognizes that one of the factors which may be limiting the growth of fiscal support for federal research is the tenuous nature of the linkage between research and actual classroom practice. The Committee believes that establishing a strong pipeline to carry research into the classroom should be a fundamental responsibility of the Office. Basic research is the primary foundation of all research activities. But it is only of use if that research can be applied to individual school needs. Our research efforts have been weak in this area, and there is considerable room for improvement. Wherever appropriate, the Office must conduct outreach and dissemination activities to insure that those in the educational field—particularly teachers and administrators—are made aware of the latest breakthroughs in research.

However, dissemination by itself is not enough. It must be accompanied by technical assistance and development to insure that new approaches and ideas resulting from such research are adapted to individual school needs. In addition, sufficient personnel training must accompany such efforts so that new approaches are undertaken responsibly, and become an integral part of school practice.

S. 1275 creates a whole series of systems and linkages to bring research into the classroom. It creates an Office of Dissemination which will serve as the informational pipeline from the Office to states, school districts, schools and institutions of higher education on the latest research findings, teaching techniques and methods for adaptation. It improves and expands our National Library on Education so that its collection can surpass all others in educational research. It gives new authority to the National Diffusion Network to transmit information on model programs funded by the Department of Education as well as education organizations for purposes of replication in school districts across America. The legislation requires that the regional educational laboratories truly serve their regions, providing development activities, training and technical assistance to meet the challenges of individual school needs. S. 1275 requires that the activities of the Directorates be coordinated with the regional laboratories so that research funded by the Directorates is based on its eventual classroom utility.

Any initiative undertaken as a part of S. 1275, however, must be preceded by a clearly articulated agenda for federal educational research. The development of such an agenda is critical to the integrity and efficacy of the Office. The federal research agenda should have expressly defined goals and projections for achieving those goals. The goals should be widely examined by researchers and practitioners alike, and should be developed through a process of open invitation for comment and recommendation. And obviously it should be the result of considerable counsel on the part of the experts.

Becasue an agenda of this nature has never been specifically documented there is little understanding of the goals of the Office, the direction of research supported through the Office, or its intended effects. Thus, there is a very narrow support base. This situation is best expressed by Art Wise, Chairman of the American Educational Research Association's Governmental and Professional Liaison Committee, who notes that "the clarity of the federal government's responsibility for education research has not been accompanied by understanding, commitment, or resources. Congressional misunderstanding and mistrust has resulted in a vicious circle of declining resources, which prohibits robust success, which in turn leads to continued declining resources."

The Committee therefore directs the Assistant Secretary to develop a broad-range agenda after full consultation with educational experts and practitioners. The Committee believes that this requirement will better inform the nation about the future course of federal support for research, thereby building an advocacy base that can help to turn around the downward spiral of commitment to educational research. Any such agenda must have a comprehensive long-term vision, should coordinate all units of the Office, should list the key research topics which will be supported through

direct funding, and should provide analysis of the potential impact these efforts hold for educational improvement and practice. Most fundamentally, the agenda should never lose sight of the Office's responsibility to translate research for school use.

The Committee is most concerned that the Office have full access to—and guidance from—preeminent educational experts and practitioners in developing its agenda and in carrying out its duties. That responsibility is currently charged to the National Council on Educational Research. Sadly, the composition of this Council, and the delineation of its powers have historically plagued the overall integrity of the Office.

The Committee is extremely concerned that qualifications of appointments to the National Council on Educational Research have fallen far short of the kind of high standards envisioned by Congress for serving on the Council. This is particularly apparent when comparing the qualifications of appointments to the National Council on Educational Research with those appointed to the Distinguished Board of Governors of the National Science Foundation. This concern has been echoed by the National Academy of Science's report, "Research and Education Reform." The report finds: "For at least the last 3 years, the council has had few or no active education researchers or social scientists among its members. None of the 1989, 1990 or 1991 council members is listed in the directories of any of the following associations: American Educational Research Association, American Psychological Association, American Economics Association, American Political Science Association, and American Sociological Association. In addition, none was found in "Who's Who in American Education."

IV. Provisions of the Bill

Current authority for The Office of Educational Research and Improvement is contained in Section 405 and 406 of the General Education Provisions Act. Section 406 authorizes the National Center for Education Statistics (NCES), and includes the National Assessment for Educational Progress (NAEP). All other authority for OERI is contained in Section 405. The Committee recognizes that the current authorizing language in Section 406 is fairly prescriptive regarding the activities and responsibilities of NCES and NAEP. However, that is not the case with respect to Section 405, where the authority for the heart of OERI's operations is contained. Thus, the Committee was very careful to insure that the reauthorizing legislation would be very specific regarding the functions and responsibilities of the research operation of the Office.

The Committee would like to emphasize that broad discretionary authority is still contained within each component of the Office as designated in the reauthorization bill, however, no activity of the Office may be conducted that does not expressly fit within each component Office, and which is not given explicit authority through the reauthorization language.

Title I of S. 1275 reauthorizes Section 405 of GEPA. Subparagraph (a)(1) of the bill begins by defining the purpose of OERI, retaining language in the current statute with respect to improving the quality and equity of education. However, it includes language

as well that directs the Office of carry out its research activities with a view toward its application to improving our nation's schools, particularly with respect to meeting the national education goals. This signifies at the outset that the major emphasis of reauthorization is to bring research directly into the classroom to improve student achievement.

The bill further specifies that the Office shall be administered by the Assistant Secretary for Educational Research and Improvement, and shall contain the Distinguished Board of Governors, the National Directorates for Educational Research, the regional educational laboratories, the Office of Educational Dissemination, the National Education Library, the Education Resources Information Clearinghouse (ERIC) and the National Center for Education Statistics including NAEP. The Committee acknowledges that several other discretionary programs, through the Secretary's direction, are administered through OERI. For example, the Jacob Javits Gifted and Talentec Education Program is administered through OERI. However, this directive is strictly subject to the determination of the Secretary of Education, and not expressly provided for in statute.

Subparagraph (a)(2)(B) of the legislation creates a new Distinguished Board of Governors. This Board shall advise the President, the Congress and the nation on the federal research and development effort, provide recommendations for defining a long-term and short-term research agenda and methods for improving the operation of the Office and the policy direction for research. The Board was modeled after the National Science Board of the National Science Foundation. The experience of the NSF Board has been extremely positive. The Board consists of eminent science scholars and researchers who provide sound advice and counsel to the Director of NSF in defining the national science research policy, carrying out activities of the agency, and awarding research grants and contracts. The Committee is troubled by the fact that the history of the National Council on Education Research has been entirely different.

In the early '80's the Council had direct authority to set the research agenda, while the Director of what at the time was the National Institute of Education had the power to operate the agency. A serious dispute over the research agenda forced the Council and the Director into a stalemate over research priorities which virtually paralyzed the Office. This was chiefly due to the fact that appointments to the Council were made on the basis of political views, rather than on the basis of educational expertise. The political views of the majority of the Council members, particularly the Chairman, were not compatible with the views of the Secretary of Education, nor with the Director of NIL. Congress therefore decided at that time to dilute the powers of the Council to make it strictly advisory in nature. The Council was given the responsibility to provide recommendations for setting the agenda, as well as offering guidance to and oversight of, the agency. Final determination of the research agenda, however, was thus left in the hands of the Director.

The Committee recognizes that there are few requirements in current statute governing the qualifications for those appointed to

the Council, and that this is a serious omission. The Committee further believes that the Council, as presently constituted, should be redrawn.

The Committee believers that expert advice and counsel from the most eminent scholars, researchers and educators is essential to the integrity of federal educational research. Such responsibility should not be taken lightly, but should be considered a major obligation of those who serve in this capacity. The Committee chose to use the NSF Board as the design model for a similar Board for OERI. The reauthorization bill therefore uses language adapted from the NSF statute in fashioning the OERI Board. S. 1275 calls for a Distinguished Board of Governors comprised of nine men and women who have the highest expertise in educational research and practice, and who have indisputable eminence in their field.

As is the case with the NSF Board, nominations are to be made by the President, with the advice and consent of the Senate. The Committee expects in making nominations, the requirements with respect to distinguished records of service and eminence in the field shall be strictly followed. It is the express intent of this legislation that the Board of Governors have the kind of sterling qualifications essential to guide the operation of the office and develop the research agenda. With that in mind, the Committee requires the President in making nominations to give serious consideration to candidates recommended by the National Academy of Education and the National Academy of Sciences.

In keeping with the Committee's interest of insuring that the Board remain independent and free from undue political or partisan influence, the legislation directs that the members of the Board appoint the Chair, as well as an Executive Director.

In carrying out its responsibilities to advise the nation on the federal research and development effort, and to provide oversight of the Office, the Committee expects the Board to work in partnership with the Assistant Secretary. The Committee requires the Board to provide a biennial report to Congress on the activities of the Office.

In carrying out its responsibilities, the Committee requires the Board to solicit advice and information from the educational field. The Committee is particularly concerned that the interests and concerns of teachers be reflected in the research agenda of the Office, as educational practice should always be a strong motivating factor in setting research priorities. The legislation further enables the Board to conduct field hearings to give examination and consideration to the interests of educational practitioners and researchers throughout the country. The Committee hopes that the Board will exercise this responsibility to the full extent that funds are made available.

One of the most important responsibilities of the Board is that of working with the Assistant Secretary in developing a long-term and short-term research agenda. This effort is central to the mission of educational research. Such agenda will be used in the future as the guidepost to measure progress in educational research and excellence, and is therefore critical to the future of the educational research enterprise.

Subparagraph (a)(2)(C) of the legislation provides definitions. Most notable are the new definitions for education research, dissemination and technical assistance. All definitions incorporate the concept of making research applicable to the needs of direct classroom instruction or school management in keeping with the central theme of using research to promote educational excellence.

Paragraph (b) outlines the broad responsibilities of the Office—those of conducting basic and applied research and development; dissemination of findings and providing technical assistance to apply such information to specific school needs and school settings; collecting and analyzing educational data; training individuals in education research; and promoting the coordination of education among the various federal agencies.

Subparagraph (b)(2) specifies the responsibilities and duties of the Assistant Secretary. The Committee notes that the Assistant Secretary provides a strong leadership role in federal education research. the Assistant Secretary not only administers the agency, but more importantly serves as an advocate for federal education research. Such advocacy should be used to promote support for uninterrupted ongoing basic research which is of a significant duration to have an impact, but also should promote the application of what can be extracted from research to classroom practice. Thus, leadership and outreach are essential qualities of an Assistant Secretary to insure that research meets its potential for dramatically improving quality. As has been repeated throughout this report, research is of no consequence to excellence unless it is followed up by the kind of development and technical assistance activities that will insure its applied to classroom practice.

The Committee affords the Assistant Secretary a strong hand in the development of a research agenda, in setting priorities, and in operating the agency. However, the Committee has infused a whole series of checks and balances as part of this process to insure that the agenda and priorities serve the nation's schools and reflect the national interest. In addition these provisions offer safeguards to insure that the priorities set—and grants and awards made—by the Office are conducted in as open, fair and unbiased a manner as is possible. Thus, S. 1275 directs the Assistant Secretary to ensure there is broad public and professional involvement in planning and implementation activities of the Office, particularly on the part of teachers. Most importantly, the Assistant Secretary must see to it that any agenda or directive is free of undue political or partisan influence. Such influence has in the past damaged the integrity of federal research in its entirety, has hampered the trust afforded the office, and consequently impeded the Office's ability to rise to the challenge of using research to promote excellence nationwide. The Committee expects that efforts to keep educational research pure shall be a central responsibility of the Assistant Secretary, as well as the Board and all those who have a role or have influence with the Office. If research is to have an impact upon quality, it must be objective.

As part of the checks and balances, the Assistant Secretary is required to provide for ongoing independent evaluations to assess all operations of the Office, the relevance that research projects have to school use, and the overall effectiveness of the Office. Finally, S.

1275 requires that all grants, contracts, and cooperative agreements awarded or entered into shall be carried out through a process of open competition published in the Federal Register. This is required to insure that all parties have an opportunity to compete for funds, to prevent political influence and to shield against favoritism.

S. 1275 gives the Assistant Secretary the explicit authority to offer help to change schools that engage in practices, including ability grouping, that may lower students' educational expectations and aspirations, impeding their achievement. This assistance may be offered directly by OERI, or by the regional laboratories, the directorates, or other appropriate entities funded or overseen by the Assistant Secretary.

A wide variety of groups have expressed concern about the ability grouping and tracking practices of many American schools. The National Governors Association, for example, urges states to "Challenge educators to eliminate ability grouping and tracking." NGA's July 1990 report, "Educating America: State Strategies for Achieving the National Education Goals," declares that:

> Schools must challenge all students to meet high standards. Yet ability grouping in the elementary grades and tracking in the secondary grades prevent this, especially for students placed in the lower groups. There, low expectations become self-fulfilling prophecies and limit students' access to challenging material or instruction. Once placed in lower tracks, few students ever move up.
>
> By high school, the consequences of tracking are particularly devastating for students in the general track, who find themselves unprepared for either work or postsecondary education. For all students, artificial barriers between academic and vocational curriculum and between theoretical and applied learning must be removed.
>
> Eliminating these practices does not require ending special opportunities for students, such as gifted and talented or Advanced Placement courses. Nor does it mean abandoning special education or remedial programs for those who need additional services or assistance.
>
> However, assignment to these or other instructional opportunities should not permanently label individuals, or places enduring limits on their access to learning opportunities. And educators should be encouraged and assisted to develop new or use available instructional practices—such as peer tutoring, cooperative learning, or reciprocal teaching—that capitalize on the diversity of students' talents, rather than segregating by ability levels.

A 1990 report by the National Education Association (NEA), "Academic Tracking," concurs that "[s]chools must work to eliminate the abuses created by rigid academic tracking of students." NEA emphasizes the need to help schools restructure in ways that do not stigmatize students, and to train teachers to work with heterogeneous groups of students. The Committee agrees that tracking and ability grouping practices, as they are currently used in most schools, need to be addressed in America's education reform efforts.

To that end, OERI is encouraged to use its authority to help schools and teachers change these practices.

Ability grouping and tracking are especially problematic when they result in, or are the result of, discrimination on the basis of race, gender, national origin, disability, or a child's first language. The Committee explored this problem at an oversight hearing of the Education Department's Office for Civil Rights (OCR) on May 17, 1991. The Committee learned that OCR has data from its biennial civil rights survey that would identify schools that may assign students to classes in a discriminatory manner. The Committee urges the Assistant Secretary to work with OCR to offer these schools information and assistance to address these problems where they exist.

As has been previously mentioned in this report, the Assistant Secretary is directed to develop a long-term agenda. This long-term agenda is designed to serve as a six-year projection of the direction and goals of the federal education research effort. It is envisioned that, in preparing such an agenda, the Assistant Secretary will consult widely with experts, educators and members of the public. Furthermore, the Committee expects the Assistant Secretary to develop and finalize this agenda in partnership with the Distinguished Board of Governors. It is critical that an agenda of this nature be articulated so that there exists a cohesive and integrated strategy to promote research as a tool for improving educational excellence. Projects funded through OERI can there be integrated into the agenda as a whole, and viewed therefore as part of a comprehensive objective. This speaks to the concern that often research is isolated and fragmented, and as a result, not used to capacity. It will further insure that the left hand has knowledge of what the right hand is doing, again with the purpose of extracting maximum use of the research findings.

The legislation requires that the agenda cover a six-year period. Six years is designed to insure that the plan of the Office is an ambitious one, allowing enough time to chart a meaningful course of direction that will produce results. Research, as has been mentioned earlier, needs considerable time to achieve breakthroughs. It cannot be rushed. This is particularly true with respect to educational research, for much must be studied through trial and error, and there are countless unpredictable variables involved in this science of human behavior. In fact, ideally the agenda should look further down the road than six years. However, the Committee held the agenda to six years out of recognition that too long a period of time may unnecessarily lock the Office into a course that is no longer relevant to national needs. Once the agenda is developed, the Assistant Secretary must report to Congress every two years on progress made in meeting the agenda, and necessary additions or modifications based on changes in national needs.

Subparagraph (2)(c) of the legislation establishes five new National Directorates of Educational Research. The directorates represent the heart of the purpose of the Office. Each directorate is assigned a mission area of research that will serve as the national focal point for coordination, organization and synthesis of research within that mission area. The Committee believes that the creation of these directorates will categorize research within five broad

areas, thereby addressing the concern that the Office lacks focus and defined goals. The Committee hopes that this new structure will provide the nation with a greater understanding of the work of the Office, and enable individuals to more readily access research that may be of particular interest or assistance. The five directorates are the National Directorate on Curriculum, Instruction, and Assessment; the National Directorate on Early Childhood Learning, Families and Communities; the National Directorate on the Educational Achievement of Historically Underserved Populations; the National Directorate on School Organization, Structure and Finance; and the National Directorate on Postsecondary and Adult Education. The Committee chose these five areas based in large part on recommendations of the National Academy of Education and the American Educational Research Association.

Each directorate shall be headed by a Director, appointed by the Assistant Secretary. The Committee envisions that the Directors will define goals and research priorities for each relevant Directorate, as well as be responsible for administration. The legislation requires that each Director be a leading professional in the field relevant to the mission of the directorate. The Committee expects that this requirement will be strictly followed, as the appointment of each Director is critical to the quality of research and other activities conducted through the Directorates. The Committee is so concerned, in fact, that these Directors be of high caliber, that the legislation provides a specific line-item authorization for salaries and expenses for the Directorates. This will insure that sufficient dollars are provided to attract the best candidates to the position, and to operate the directorates effectively.

Each directorate shall conduct the highest quality basic and applied research within its mission. The Committee notes that research should include vocational education where it is relevant to the mission of the directorate. This point is particularly important to emphasize as vocational education is often given short-shrift or ignored altogether in the educational arena.

In addition, the directorates shall serve as the national database on model and demonstration programs which have been proven through their operation to be effective. The Committee hopes that effective practice is the central focus for research conducted through the Office. There are countless individual examples of educational success, but these jewels of education are difficult to duplicate in other educational settings. It is research's responsibility to define the factors within a successful program which are essential ingredients of its effectiveness, and methods for adapting these factors to various school settings. In addition, the directorates shall plan and implement dissemination activities that will bring the most effective research conducted through the directorates directly into the classroom.

The directorates are given further responsibility to provide research information that leads to policy formation for entities which have ultimate responsibility for education, such as state legislatures, state educational agencies and local school boards. The Committee notes that the directorates should always keep the needs of the teachers in mind in planning or implementing the research agenda.

Coordination among the offices within OERI is critical, and must be a priority of each office. For example, the directorates should coordinate their dissemination activities with the Office of Dissemination. Similarly, the directorates should coordinate the development of plans and goals with the regional laboratories to insure that research needs from the field are addressed by the directorates.

Each directorate is required to reserve at least 15% for field-initiated research. The Committee notes that support for field-initiated research is minimal at best, and has in fact declined over the last decade. The Committee believes that this type of research can often provide significant contributions to educational improvement, and has mandated this reserve to insure that research from the field is part of each directorate. The Committee notes that the 15% reserve is a floor and not a ceiling for funding.

Finally, each directorate shall reserve at least one-third of its allocation to establish one or two long-term national research centers on priorities within each directorate's mission area. The legislation requires that contracts for these centers be of ten years in duration. This provision addresses the concern raised by many educators that all too often the expectation is that research will produce results in a short-term time frame. That is contrary to the very nature of research. It must be given a substantial period of uninterrupted and sustained support to enable it to generate information that will be a major contribution to the conduct of teaching and learning.

The legislation grandfathers existing contracts for the various education centers currently in operation. However, the Office may move these centers into relevant directorates before expiration of their contracts, but with the understanding that the contract remain unaltered until its expiration. Upon expiration, the Office may decide to continue these types of short-term centers in addition to the long-term centers, if appropriations permit, or these centers may be abolished. The Committee notes that some of the research centers are due to expire at the end of this fiscal year and is concerned that some of these centers may be dismantled upon expiration of their contract before the directorates are established—thus precluding them from applying to be one of the long-term centers.

Therefore, the legislation specifically states that centers which expire before the completion of the new competition for the long-term centers in the relevant directorates may be extended until awards for those centers are made. The Committee intends that this could apply to each short-term center in a directorate, as assigned by the Assistant Secretary, until an award is made for one long-term center under that directorate.

Total authorization for the Directorates is $70 million in fiscal year 1993 and such sums as may be necessary for each of the fiscal years through 1999. Of the amount appropriated, 50% shall be reserved for the National Directorate on Curriculum, Instruction and Assessment. Ten percent is reserved for each of the other Directorates. The remaining ten percent shall be used by the Assistant Secretary to coordinate research among the Directorates and to synthesize findings. The Committee notes that this is critical to the ef-

ficacy of educational research as a whole. There are many strands of research, but they must be woven into a tapestry to formulate a complete picture of effective education.

The legislation requires that the Distinguished Board of Governors evaluate and provide recommendations regarding the quality of research, and the relevance of research topics to the educational needs of the field. It further requires the Assistant Secretary to publish proposed research priorities in the Federal Register every two years for the purpose of public comment and suggestions. It is the intent of the Committee that the directorates serve the needs of educators particularly, and hopes that their comments are duly addressed in finalizing the research priorities and their implementation. Again, the Committee emphasizes that all grants, contracts and cooperative agreements carried out through the directorates must be awarded through an open competition process published in the Federal Register.

The National Directorate on Curriculum, Instruction and Assessment is authorized to conduct research on methods that will improve student academic achievement. It is given jurisdiction over all levels in the major subject areas, including English, mathematics, science, history, geography, civics and government, foreign languages, arts and humanities and economics. It shall conduct research not only on mastery of subject matter within these areas, but upon other educational skills as well, particularly writing and higher order reasoning skills. The Committee notes that studies to improve academic achievement should consider students of all levels of ability. With this in mind, the legislation specifically cites research on methods to teach effectively all students in mixed-ability classrooms.

This directorate shall study as well the development of standards for what all students should know, the use of testing in the classroom, and other critical testing issues. The directorate is further given responsibility for curriculum development designed to meet national standards, including assistance to states to develop such curriculum, and on using technology in accord with agreements made with the Office of Technology. Obviously, this directorate focuses on the main objective of education—mastery of subject material. The legislation therefore reserves 50% of all funds available to the directorates to carry out this large a mission.

The National Directorate on Early Childhood Learning, Families and Communities is designed to address one of the most crippling problems facing this nation—that of illiteracy. The Committee recognizes that the kind of education a child receives at a very early age can often predict his or her success in future years. Critical to this process is the role of the family in that child's education—particularly beginning with a parent reading to the child. Thus, the directorate should focus upon intergenerational learning, such as that conducted through the Even Start program and other methods for the prevention of illiteracy.

In addition, the directorate should look at other important educational factors, such as the impact of television, the threat of drug and alcohol abuse, and learning that takes place outside the classroom. Teacher training and the use of technology as a learning tool should also be addressed by this directorate.

The National Directorate on the Educational Achievement of Historically Underserved Populations strikes at the heart of the federal concern in education—protecting and serving disadvantaged populations. The directorate shall study methods for improving the education of these special populations, including minority students, students with disabilities, the economically disadvantaged, girls and women, and the limited-English proficient. Research should focus on effective educational practices for expanding opportunities for these populations, methods to overcome barriers to learning, and innovative teacher training. Again, the use of technology should be highly promoted in directly serving the interests of these populations.

The National Directorate on School Organization, Structure and Finance is given responsibility for studies of effective practices of school restructuring. The directorate should pay particular attention to finding out why such restructuring efforts work in a particular school system, and methods for replicating that success in the other 110,000 schools nationwide. The legislation mentions specifically lengthening the school day or school year, reducing class size, building professional development into the weekly school schedule, school-based management and other effective approaches of note. However, the Committee hopes that the directorate will search for other innovative methods of school design, always with a view toward its ability to be applied to other school systems. The directorate is further charged with studying school financing, including a study on the amount of dollars actually spent on direct learning. The Committee recognizes that technology can be of invaluable assistance in implementing innovative systems and learning strategies, and intends that the directorate focus upon technology specifically in its scope of research projects.

The National Directorate of Postsecondary and Adult Education is authorized to conduct research within postsecondary education including effective methods for education and training for adults with respect to basic literacy, general education and vocational skills, learning opportunities for adults which go beyond graduate school within the context of lifelong learning, disparity in school financing among states and districts, and the use of technology.

The Committee notes that there is little reliable research and information on private career colleges, community colleges and postsecondary vocational schools, and recommends that research on these sectors be given equal consideration within the scope of this directorate. The Committee is particularly interested in the establishment of a body of research on the characteristics defining and underlying successful practices in postsecondary vocational and technical training and retraining, and adult education in literacy and basic skills which provide students with job skills leading to employment.

In carrying out the activities of the directorates, the legislation retains the current authority of the Assistant Secretary to provide fellowships in research and training in research. At least 95% of all funds for the Directorates shall be awarded in the form of a grant, contract or cooperative agreement.

Subparagraph (20(k) provides an authorization for the Regional Educational Laboratories for Research and Dissemination. These

laboratories were originally created for two purposes—to support independent research activities in the field, and to serve other research needs of their respective regions. The reauthorization language redesigns the labs' charter, requiring them to focus much more sharply on promoting educational improvement by applying research to specific school needs within the region. It is critical in this endeavor that the labs conduct extensive outreach activities which will enable them to define what the needs are within the region and to make educators, school officials and policymakers aware of the services of the labs. The labs are therefore required to conduct hearings within the region to define local needs, particularly with respect to largely populated urban areas and sparsely populated rural areas.

For the first time, the authorizing statute requires the labs to work with individual schools and to serve their needs. It is particularly critical that the labs promote effective educational strategies within their respective regions, and assist schools and school districts in identifying educational strategies which will improve student performance or address specific needs. The Committee notes that perhaps labs are the best instrument for bringing research directly into the classroom. Thus, the labs are charged with translating basic and applied research into material that will serve individual school needs, to disseminate widely information about the latest and most effective research findings which have promise of the improvement of practice, and to facilitate school restructuring and training activities all within the goal of improving academic achievement.

The legislation further permits the labs to conduct applied research in serving its region if similar research does not exist. This is intended to avoid duplication in order to free the labs to carry out more outreach and technical assistance activities. The Committee notes that innovative strategies or new practices are not effective in and of themselves unless accompanied by sufficient teacher and administrator training, and other technical and development activities that will insure that such strategies take root as an integral part of the existing school operation. The Committee expects this to be the central mission of the labs—to carry out activities that will insure that school improvement strategies become more than "new-fangled" gimmicks which can then be quickly shelved. Rather, the work of the labs must be that of drawing together an educational "SWAT TEAM" that will provide through a critical mass of personnel, time and effort, training and technical assistance strategies that will enable such improvements to take hold and flourish.

The legislation extends current law provisions with respect to the governing boards for the labs. The legislation, however, amplifies the quality control responsibilities of the governing boards, requiring them to ensure that the labs maintain a high level of quality, serve the needs within the region and operate under effective governance.

The legislation specifies that the current lab contracts will operate through the duration of the contract. Newly competed contracts shall then be drawn for a period of at least five years. The legislation further specifies that additional projects may be assigned to

the labs from amounts appropriated through the Office of Dissemination. Consistent with the reauthorization's concern for coordination, the labs are required to coordinate their activities with the national directorates, with the Office of Dissemination, and any other relevant unit of OERI.

The authorization level for the regional educational laboratories is $37 million for fiscal year 1993 and such sums as may be necessary for each of the fiscal years 1994 through 1999. The Committee regrets that the contract cycle for the labs is out of sync with the recompetition. This means that reauthorization changes with respect to the labs will not take effect until shortly before the next reauthorization. The Committee intends to work on this problem so that for the next reauthorization the cycles may be commensurate.

Section (2)(1) establishes a new Teacher Research Dissemination Network. In reviewing the status of education research, the Committee found that the education research being funded by OERI is not having the impact on the nation's schools that it should for a variety of reasons. Relevant education research and resulting solutions are not being adequately disseminated to teachers. Research products are frequently disseminated in inappropriate formats, such as lengthy technical reports, not conducive to widespread teacher use. Research frequently stops with the identification of a problem with no follow-up research on potential solutions. Teachers are not trained to use research to inform their decisions. Teachers are not encouraged or given opportunities to move beyond the walls of their classrooms to identify and use outside resources or work together with other teachers. The Committee also found that there are not enough linkages among the various OERI components and programs or between the components and the nation's schools to ensure that research is conducted in a coordinated manner and that it is responsive to the needs of schools and teachers.

Thus, the Committee identified a need to improve dissemination of OERI-funded research to teachers; to improve the responsiveness of OERI-funded research, products, and services to the needs of teachers; and to stimulate teachers use of and participation in research. In response, the bill establishes a multipurpose program intended to develop a network of Teacher Research Dissemination Experts (TRDE). These TRDE's will trained during the summer and then will return to their districts to share their knowledge and exerptise, act as a continuing resource for the other teachers within the district, and provide feedback on teacher needs to the OERI components.

Summer training and technical assistance throughout the school year will be provided by the OERI regional labs. The labs will also act as the fiscal agents for the TRDE stipends and the TRDE discretionary funds. The Assistant Secretary will base the award level of each laboratory with a successful application on the number of teachers, schools, and students located in the region served by the laboratory. In a situation where one or more of the 10 laboratories fails to submit an acceptable application, the Assistant Secretary can redistribute the funds to the successful applicants or make a larger award to a successful applicant to serve more than one region. In the event of significantly limited appropriations, the re-

gional laboratories can apply in partnerships with one another to reduce overhead costs while maintaining national distribution of the TRDE's.

The TRDE's will be selected by their peers at the district level, since the teachers that each TRDE will be reaching during the year need to have a healthy respect for and willingness to communicate with the TRDE in order for this program to be effective. This program is designed with a goal in mind of reaching approximately 50% of all teachers over the next 5 years. With approximately 2.4 million public and private elementary and secondary teachers in the U.S., approximately 250 teachers per year from across the country will need to be involved in the training program. Each TRDE will be expected to reach approximately 1,000 teachers per year. Small districts could apply together under this program to meet this requirement as much as possible.

Specifically, the TRDE's will be trained to inform other teachers in the district about the OERI programs and component pieces (the regional labs, the research centers, the directorates, Education Resource Information Centers—ERIC, the National Diffusion Network—NDN, and other OERI programs and efforts). The TRDE's will inform other teachers about the research products and services available through OERI and other educational research organizations. They will train other teachers in the use of education research and development theory to improve their instruction and to recognize effective practices based on sound research. The TRDE's will survey the needs of the district, select and be trained in a few products and programs relevant to those needs, and train other teachers how to use them. The TRDE's will be charged with helping interested schools and teachers in their district to identify problem areas and goals and to act as a liaison between the schools and the appropriate resource bodies, Federal or otherwise. They will also meet with other TRDE's throughout the year and exchange experiences and strategies for implementing this program. Finally, one of the most important responsibilities of the TRDE's will be to provide information about exemplary practices and programs to the labs, NDN, ERIC, etc. and to act as the pulse of their district in communicating their research and dissemination needs to the laboratories and other OERI components.

If funding increases sufficiently in the future, an additional program could be implemented by the regional laboratories which could include such activities as teacher training and assistance in conducting applied research, teacher research sabbaticals, training in assessment and testing, training in developing and implementing effective teacher in-service, training in change management (restructuring, site-based decisionmaking, leadership skills, etc.), and assistance in developing strategies for increasing time for teacher planning and collaboration. The number of TRDEs which a lab would train and the number of teachers which a TRDE would be required to reach could be decreased for these activities to ensure that the TRDEs and the teachers in the districts receive the increased attention necessary for these more in—depth types of activities.

District in-service specialists, curriculum specialists, and staff from State Education Agencies, Intermediate Service Agencies,

teacher centers, and teacher education institutions are eligible to attend the summer sessions and other training sessions offered throughout the year. However, since the main focus of this program is on teachers, all others would be required to pay a fee and cover their own expenses.

The labs will be responsible for developing training, resource materials, and teacher conferences (including teleconferences) with input from the staffs of the other labs, the Office of Dissemination, NDN, ERIC, and the Centers, The regional laboratories could also involve state education agencies, teacher education institutions, intermediate service agencies, teacher centers, and other entities that the laboratories identified as appropriate. This process is intended to build a working network among all of these entities, which currently operate very independently from each other. By working to develop a training program which adequately represents each entity's functions and services, all of the entities involved will learn about each other's work. In addition, in developing training, resource materials, and conferences together, it is hoped that all of the entities involved will identify new ways to work together, disseminate their products and services through each other, and better adapt research directions and dissemination practices to suit the needs of the users. The labs will also be responsible for providing and coordinating training with the staffs of these other entities. The labs will determine how this will be accomplished and whether or how representatives from other entities will participate in the delivery of the training. The delivery of the training to teachers and the continuing technical assistance throughout the school year brings the users into the research, development, and dissemination process and completes the network.

The summer teacher stipend for salary and expenses and the teacher training provided during the summer and throughout the school year will be paid for by the federal government through the regional laboratories. The teacher salary throughout the year for the teacher to participate in the program will be paid by the school district (or group of districts in situations where small districts apply collaboratively). The program was designed under the assumption that the TRDE's would be released from their regular teaching duties to participate in this program for one school year. However, in light of widespread education budget shortfalls, the Committee does not wish to stymie creative teachers and districts who come up with alternative delivery mechanisms. The teacher and district must demonstrate to the lab's satisfaction that any such alternative will afford the teacher a full opportunity to perform the TRDE responsibilities.

The TRDE's will receive up to $10,000 during the school year to be used to purchase and disseminate materials, support their teaching activities with the teachers in their district, and to cover travel expenses during the year to meet with the other teachers and to participate in further school year training and technical assistance provided by the labs.

As an incentive to secure district support and to encourage districts to continue teacher collaboration activities and dissemination of effective practices and programs, the district will be provided up

to $5,000 for each of the 2 years following the one-year TRDE participation.

The federal costs of this program will be about $20 million per year, while the district money leveraged under this program will be about $75 million per year.

Subparagraph (2)(m) requires the Assistant Secretary to establish an Office of Dissemination. The Committee is concerned that a great deal of federal money is being spent on research but that the results do not always reach the practitioners in the field; or that if they do, they are not in a format that is usable by or appropriate for teachers. There is also concern that the OERI components (regional labs, centers, ERIC clearinghouses, etc.) could do a better job of disseminating research and information on promising practices.

Therefore, the Committee proposes establishing a program office in OERI headed by an expert in dissemination to coordinate dissemination of Department of Education research and development products and publications. This office shall be a central point in the Department for the public to contact regarding research, development, and statistical products developed by or funded by the Department. The office should be staffed with competent and courteous individuals knowledgeable about Department of Education resources, products, and services.

Specifically, the Director will operate a depository for all publications and products developed by or funded by the Department of Education. While it is not intended that this office replace the Government Printing Office as a warehouse of Department of Education publications, members of the public should be able to call this office with questions on all publications, reports, products, and statistics produced by or funded by the Department and reach a person knowledgeable about the material. By requiring that this office be a depository of such materials, the likelihood will be increased that the staff will have seen the materials and be able to respond to inquiries about them. This will require cooperation from OERI component pieces (labs, centers, ERIC clearinghouses, etc.) as well as other offices in the Department. This might also require that all grants, contracts, or cooperative agreements contain language requiring that copies of all resulting reports, publications, or products be delivered to this office as well as to the regular contact in the Department of Education. The Committee finds it unacceptable that we provide funding for researchers but do not insist on receiving a copy of the resulting report or product in return. The materials should also be made available free of charge to the public for reproduction, perhaps by replacing a copy of all materials in the National Education Library.

This office will coordinate the dissemination efforts of all OERI program offices, the labs, centers, directorates, National Diffusion Network, and ERIC clearinghouses to ensure that these entities are aware of each other's work and products, provided with copies as appropriate, and encouraged to disseminate the products where appropriate.

The office will disseminate to the nation's schools relevant and useful research information, products, and publications developed or supported by the Department. It will evaluate the usefulness and impact of OERI's dissemination efforts to determine how well

the directorate, labs, centers, Teacher Research Dissemination Network, and ERIC clearinghouses are serving the dissemination needs of the education community. It will also assess and report annually to the Secretary on what types of information, format, products, and services teachers, schools, and districts want and find most useful. Based on the assessment, the office will describe plans to adapt ED products and services to the needs of the users and encourage research entities supported with Department funding to adapt their products and services to better respond to the needs of their audiences.

Finally, the office will be responsible for connecting schools and teachers seeking information with the relevant labs, NDN State facilitators, centers, directorates, ERIC clearinghouses, and Teacher Research Dissemination Network contacts.

The office is encouraged to establish and maintain a database on all research and improvement efforts funded by the Department of Education. This would improve the capacity of the staff in the office to inform the public about the Department's research efforts. It would help prevent duplication of research across the Department. It would also improve OERI's ability to look comprehensively at the research that they are funding and summarize the major findings of that research to determine what has been learned over time.

The office is also encouraged to support and promote cooperative publishing of significant publications by education organizations and publishers to expand their dissemination efforts. It may also expand its dissemination efforts to include models and educational methods which the Department of Education has not funded but determines to be merit-worthy.

Media and other technology forms may be experimented with to improve dissemination. However, priority should be placed on technology that is easily accessible and affordable to teachers, schools, and parents.

Subparagraph (2)(n) provides additional authority for the National Diffusion Network to provide information about model demonstration grant programs. The National Diffusion Network (NDN) established under the Elementary and Secondary Education Act identifies existing programs of excellence at early childhood through secondary school levels. Selection procedures for identifying programs as NDN programs involve a rigorous certification through a careful review process before being selected as an NDN project. Upon certification, the programs become part of a list of successful programs. This list is made widely available to schools throughout the country, primarily through the National Diffusion Network state facilitator in each state. Within the funding constraints, state facilitators and project personnel assist schools in their search for effective school models, and provide them with the technical assistance necessary to implement or "adopt" these successful programs.

The Committee believes that the NDN is an excellent vehicle for dissemination of information of successful school practice, and should include information on programs in addition to those validated through the NDN review process. For example, the Department of Education funds a number of model demonstration grant

programs through its various discretionary grant programs. These programs have already been given the seal of approval of the Department of Education. Information on these programs should therefore be made readily available through the Network, and not be delayed by the NDN review process. In addition, the NDN while highly effective is limited by its funding constraints from providing the technical assistance necessary to help schools implement these successful programs.

The Committee therefore believes that additional authority ought to be charged to the NDN to provide information on successful models of educational programs through its network. The OERI legislation provides an additional $10 million authorization of appropriations for the NDN to carry out these activities and improve their state facilitator capabilities. The Committee is quick to caution, however, that information provided on successful models must identify the sources that has deemed it successful so that schools will be provided the full range of information upon which to make judgments.

Subparagraph (o) of the bill establishes a National Education Library to be the principal center for the collection, preservation and effective utilization of research and other information related to education and the improvement of educational achievement.

The Department of Education Organization Act authorized the Secretary of Education to establish a central library service. As a result, the Secretary of Education established the Education Research Library in 1979. The Library maintains a collection of books, periodicals and microfilms and conducts routine library activities, such as acquisitions, cataloging, circulation, interlibrary loans, and reference services. The library also provides limited public access to its materials and services.

The importance of a comprehensive library devoted to education is indisputable. Researchers, policymakers, teachers, school leaders and the public will all benefit from a high-quality, well administered education library. In an era of great public interest in education, a central repository of popular and scholarly materials on education is vitally important.

Unfortunately, the Education Research Library at the Department of Education has never achieved the visibility and importance that it should. A study conducted by the General Accounting Office (GAO) concluded that the Library was of "limited usefulness." About half of the Library's estimated 250,000 volumes are uncatalogued and thus unavailable to users. Some 40,000 rare and historical books require rebinding or other preservation work. The GAO also found that the Library is underused by Department of Education staff and many researchers are unaware of the facility and its services.

The GAO study also concluded that the Library lacks a collection development policy specifying its primary and other users and its materials acquisition and preservation policies. According to the GAO, such a policy is needed to define the expected library users and to determine acquisition and preservation practices.

This bill is designed to address these shortcomings and to establish a high quality National Library of Education. The legislation establishes the mission of the library and requires that it: (1) estab-

lish a coherent policy to acquire and preserve books and other materials, (2) organize all materials appropriately, (3) establish a policy to disseminate information about the availability of materials through the library, (4) make library materials available, and (5) provide research and reference assistance.

The legislation requires that the Secretary establish a task force of librarians, scholars, teachers, parents and school leaders to provide advice on the establishment of the Library. The bill further provides that the Library shall be headed by a librarian with extensive experience.

The Committee believes that the establishment of a Library along these lines will do a great deal to increase the stature and visibility of the Department of Education as a leading resource of scholarly and popular information about education.

Subparagraph (2)(p) reauthorizes the Education Resources Information Clearinghouses. The Committee recognizes that the clearinghouses are an effective method of providing information to the field, and basically reauthorizes them in their present form. However, the Committee believes that ERIC could do a better job of coordinating and selecting key social science journals to be indexed. Therefore, we have directed ERIC to develop a coherent policy for the abstracting of books, periodicals, reports, and other materials related to education. The authorization level for the ERICs is $7 million in fiscal year 1993 and such sums as may be necessary for each of the fiscal years 1994 through 1999.

Title II of the legislation reauthorizes Section 406 of GEPA with respect to the National Center for Education Statistics and the National Assessment of Education Progress.

Section 201 responds to a number of concerns with the National Center for Education Statistics (NCES) and the National Assessment of Educational Progress (NAEP). One concern with the current language in section 406 of GEPA pertains to the qualifications of the NCES Commissioner. The law could be construed to limit the nomination to NCES employees or contractors because it requires the nominee to have "substantial experience and knowledge of programs encompassed by the National Center." Although many qualified individuals meet this criteria, others should have the opportunity to be considered. The Committee amends this language to expand the field of nominees to include others who are qualified in the field of mathematical statistics or statistical methodology or who have extensive knowledge of uses of statistics for policy purposes.

Other concerns regarding qualifications are reflected in some new provisions dealing with the National Assessment Governing Board (NAGB) and its staff. While the mission and duties of the board are very technical, the board is made up almost exclusively of laymen. There are two positions on the Board designated for testing and measurement experts, but there is concern that the testing and measurement experts on the Board have not been true experts in these fields. Thus, the bill requires the nominees for these two positions on the Board to be psychometrician, educational psychologists, or measurement specialists, with extensive experience working on large-scale assessments. There are also concerns that the language referring to the hiring of technical employees to

staff the Board does not offer adequate assurances that staff with the necessary technical expertise would be hired. Thus, the provisions require the staff, by virtue of their education or training and experience, to be eminently qualified to assist the Board in administering its duties.

In addition to the qualifications of the Board, there is a concern about the possibility of undue influence resulting from involvement of Board members serving the Department of Education in other capacities, especially in the area of national testing and standards. Thus, a prohibition has been placed on the ability of Board members to serve as consultants to the Department or serve on other Department boards, panels, task forces, or advisory bodies.

The Committee extends the NAEP state trials for 1994 and 1996 in math and reading at three grade levels. Planning would also be allowed for a NAEP science assessment in 1996 for three grade levels. This provides NAGB the necessary lead-time to develop such an assessment and leaves open to Congress the possibility of authorizing such an assessment at a later date. The Committee did not adopt a broader proposal to collect state-representative data in 3 grades in 6 subjects on a regular basis. This proposal would triple the number of tests needed to be developed and administered. The Committee does not want to make the substantial financial commitment ($20 million per test) entailed by this proposal prior to making a final decision regarding the continuation of state NAEP tests. In addition, language regarding the independent evaluation of the state trials is strengthened to ensure that the evaluators look at issues affecting the quality and integrity of the test and the national trend data it has provided for over 20 years.

In 1990, the NAEP math test scores for the state and national NAEP tests were reported for the first time in terms of a set of performance standards. NAGB designed and implemented an approach to define basic, proficient, and advanced levels of achievement and to express each level in terms of a score on the NAEP math test. NAGB's evaluation consultants, NCES' technical review panel, the Council of Chief State School Officers, the National Academy of Education, and the General Accounting Office have all expressed concerns about the process which NAGB used to set the achievement levels. It is the understanding of the Committee that adjustments have been made in the process for the establishment of 1992 NAEP achievement levels. However, the Committee has added an independent evaluation to review the adequacy of the process used to set the achievement levels for the 1992 NAEP tests and the ability of NAEP to maintain valid trend data while applying these achievement levels to the scores. It is intended that similar evaluations would be conducted in 1994 and 1996 as the NAGB revises or sets new achievement levels for future NAEP tests. In addition, the release of any NAEP data using the achievement levels is strictly prohibited until the results of the independent evaluation have been provided to the Board and the states participating in the state NAEP trials. The Committee's intent is to provide the NAGB Board with as much information as possible as they venture into the application of performance standards to the National Assessment.

Other changes to NAEP include the requirement that future state NAEP assessment trials include adequate samples of private school students in order to increase the comparability of results from one state to another, as well as comparability to the national assessment sample. The Department of Defense and the Secretary of the Interior are permitted to work with the Department of Education to include the defense dependents education system and the Bureau of Indian Affairs schools in the state NAEP trials. The Committee, also eliminates the requirement that NAEP collect regionally-representative data because the utility of this data is marginal and regional data can always be compiled by combining state data if a need for regional data arises.

The Committee notes that one of the important contributions to education research that has been made by NCES over the past two decades has been the data available from the longitudinal studies, including the National Longitudinal Study of the High School Class of 1972 (NLS-72). No group as large (22,650) has ever been tracked as long or in as much detail. Since 1972, the group has been surveyed six times, most recently in 1986 when a remarkable 88% of he group responded to a 65-page survey. This rich database also includes the college transcripts of 12,599 people in the sample.

The Committee has made use of this particular data most recently in the series of hearings on women and the workplace held by the Subcommittee on Employment and Productivity. On July 18, 1991, Clifford Adelman, a senior associate at OERI, testified on his study, "Women at Thirtysomething: Paradoxes of Attainment":

> Of the dozens of stories in the NLS-72 archive, the most stunning and dramatic in terms of our national knowledge—and, indeed, the future of our national well-being—is the story of the women.
>
> It's a story that is at once inspiring and dispiriting * * * * * * The women of the Class of '72 were, in short, more enthusiastic and potentially productive workplace participants at the same time that they were under-rewarded. They came into the workplace in the same way that immigrants came to this country 8 years ago or 80 years ago—determined to succeed on the basis of what they knew, not who they knew. What seems to happen, though, is that the workplace rewards organizational politics a lot more than knowledge, more than what are called "productivity effects," that is, improvements and efficiencies in work style that are the result of education.

This kind of research, based on solid data, provides Congress with insights that are helpful both in looking at schools and school reform as well as our efforts to improve equity in the workplace.

The Committee expects research based on NLS-72 to continue, and intends for further data to be collected from this group. Surveying this group again at age 42/43 would allow us to see all of their education, labor market, and family formation experience during their thirties, and have a powerful baseline against which to measure the progress of future generations. The Committee expects that the use and updating of the other longitudinal studies (High School and Beyond, based primarily on the high school class

of 1982, and NELS–88, following the high school class of 1992) would follow a similar pattern.

Finally, the Committee provides for an increase in the NCES authorization from $43,323,000 to $85,000,000, and reauthorizes NCES programs through 1999. Fiscal year 1992 appropriations for NCES were $77,200,000.

The Committee is particularly concerned that salaries and expenses provided for NCES are not sufficient to carry out the mandates of current law. Often, in tight internal budgetary decisions within the Department of Education, NCES is not a priority. The reauthorization bill therefore creates a separate line-item for S & E for NCES. This authorization is $15 million in the first year, and such sums in the out years. The Committee is hopeful that sufficient appropriations are provided for this purpose to enable NCES to comply with its mandatory data collection responsibilities.

Section 202 requires data collection on school dropouts. The Committee notes a historical problem in collecting uniform data on the number of school dropouts nationwide. The School Dropout Demonstration Program requires the Secretary to develop a uniform definition of a school dropout, but remains silent on the question of collecting information. Thus it has been difficult to obtain a national profile. S. 1275 requires the States to assist the Secretary in collecting nationwide data on the number of school dropouts in conformance with the Secretary's definition. The Committee notes that states may use their Chapter 2 funds to carry out this requirement.

Section 204 permits the Secretary to reserve not more than 1 percent of funds appropriated for any competitive discretionary grant programs to pay expenses and fees of field readers necessary to review applications and proposals for such funds. The Committee recognizes that considerable care and time is involved in the preparation of applications for funds on the part of state local educational agencies, schools, community-based organizations and other eligible applicants. The Committee believes that each application should be given every consideration as to its merits in the review process, and recognizes that open competitions for federal funds can only be conducted in a fair and equitable manner if sufficient personnel are provided to review carefully all proposals. The Committee has therefore agreed to include language proposed by the Department of Education that would enable the Secretary to reserve up to one percent of program funds for field readers. The Committee would like to emphasize that this would only apply to discretionary grant programs which are nationally competitive, and not to any formula-based programs. In addition, it would not apply to any programs where specific provision has been made to support field readers.

Section 205 of the legislation establishes a new Office of Educational Technology within OERI. The importance of education increases in proportion to the increase in complexity in our society. In addition, an increasingly complex society requires that individuals be competent in gaining access to and interpreting information. Technological advances have made significant changes in the ways in which information is gathered and transmitted, and the use of technology in our schools can have an important influence

on the ability of public education in America to respond to the demands of the 1990s.

Telecommunications and educational technologies are in use in our schools, but their full potential has not been reached. These technologies offer a variety of strategies for expanding student access to quality education programs. However, at this time, there is little or no coordination among schools and government agencies to assist educators in selecting and using technologies. Due to this lack of coordination, the education community has not been involved in the decisionmaking process for technology development.

Technology holds promise for advancing a number of educational goals, from preschool through continuing education. Educational information management systems now under development provide for greater individualization of learning within the classroom and school curricula. It has become increasingly evident that, in order to provide a quality education for all, educational experiences must be adapted to the needs and abilities of individuals of all ages and backgrounds. These same technologies can involve the entire community in the education progress, as well as making it feasible to consider new ways of structuring schools, agencies and support services which better meet the needs of students, teacher, and parents. Options for community-wide shared usage of this technology to offset costs in the classroom have been explored and show promise.

The Committee would like to emphasize that successful implementation of the use of technology in instruction is heavily dependent on training programs for teachers to use the new technology systems. Without adequate teacher training, schools will not be able to take full advantage of the tremendous curriculum enhancement and learning opportunities afforded by new information technologies.

To promote the utilization of technology as a means to improve academic achievement, the bill requires that the Department of Education establish an Office of Educational Technology to serve as a central body for coordination and promotion of educational technology activities. The Committee intends that this Office serve as an advocate within the Department of Education to promote the utilization of technology in our school systems.

Functions of the Office will include providing leadership for technology policy development, coordinating technology-related education activities, administering technology programs within the Department of Education, recommending uses of technology in other federally funded education programs, and developing proposals for the broader use of and access to educational technology.

The Committee intends that such recommendations should include proposals to develop instructional and administrative strategies which take advantage of the tremendous potential that information technologies hold for education. The legislation directs the Office to develop proposals to create on-line system linkages for local school, develop a proposal to develop a fair system for metering the use of technology information, and to promote the use of technology to assist OERI in carrying out all of its functions. The Office will also consult, cooperate, and coordinate with analogous

federal programs and agencies and will initiate interagency agreements for joint funding of projects.

According to a recent report of the Aspen Institute, "Defining Education's Role in Telecommunications Policy," there are at least three critical methods for increasing the use of technology in our schools nationwide: (1) national and international electronic highways, (2) "last mile" technology allowing informational resources to flow directly into individual classrooms, and 3) technology systems that will permit effective usage of information resources once they are in the classroom. The Committee intends that proposals developed by the Office incorporate these ideas.

The activities of the Office will be guided and managed by a Director appointed by the Secretary of Education. The Director must have demonstrated expertise and experience in the application of a broad range of technologies for instruction and educational management, and in planning and policy formulation pertaining to technology application at all levels in the education system.

The legislation establishes an eleven-member Technology Board appointed by the Assistant Secretary for Educational Research and Improvement. Six of the Board members must have demonstrated competencies or expertise in developing technology system. In order to provide for broad participation from the education community, the remaining five members will be educators—at least three of whom must have experience in using technology in the classroom.

To become part of the Information Age, schools will need a massive investment in communications and on-premises education technology. The Aspen Institute report also notes these needs:

> The nation needs a vision of teaching and learning that recognizes an active learning, multiple resources, a facilitating teaching environment, and the positive role technologies might play in schools. The roles of teacher, student, and classroom will change, and technology will play a major part in this transformation. The challenge is to arrive at a consensus on that vision, a vision that allows for flexibility in instructional approaches in reaching the goals of improved learning, the vision must consider how schools can control their own destiny, and pay for the costs of education. Moreover, the vision must be guided and bound by a commitment to equity among students and school districts, lest inequities of the past be exacerbated by technologies.

Moreover, educational technology policy must be influenced by how schools will use such technologies in the classroom. Another central issue with respect to the application of telecommunications technologies in the classroom is the cost factor. Given that most classrooms do not have telephone lines, substantial costs will be involved in bring schools to the point where they can use any of the technologies now being developed.

For this reason, the Committee has requested a study on implementation of a National Technology Repository and Transfer System to assess the costs at the federal, state and local level that would be incurred in implementation of a nationwide technology

linkup for elementary and secondary schools. The study should also assess the availability of technology linkages to access educational technology at the local school district, classroom, and other cor munity learning center level, including libraries. Availability of telephones, computers, satellite dishes, televisions, and other receptors of technology should be considered. The Committee urges the Department to utilize existing data gathered by other federal agencies if applicable.

Finally, the Committee wishes to note that each Directorate authorized in subsection (c) contains language referring to research on technology development and its use based on agreements with the Office of Educational Technology. The Committee intends that each Director work with the Director of the Office of Technology and its Board to define research priorities and projects involving technology in each mission area.

The Committee is particularly concerned about issue of equity in access to technology and hopes that equity concerns play a dominant role in any of the Office's proposal, plans and projects.

Title III, Education Improvement Programs, authorizes several new programs which will serve the national education interest well. Part A establishes a new initiative in international education by authorizing a study of education in other nations, a comparison of academic achievement in major subject areas between our country and major industrial nations, and an international educational exchange program in civics and government and economics between the United States and Central and Eastern Europe and the Commonwealth of Independent States.

Increasingly, the quality of our educational institutions is measured through comparisons with the educational preparation of students in other nations. The national interest in American competitiveness has ignited intense scrutiny of our own educational standards, and a rigorous examination of the abilities of our students to compete in the global marketplace. Educational systems of other nations—Japan in particular—are tossed around as examples of superior academic preparation, and these examples are used widely in the national debate on improving education with little concrete data or evidence to substantiate such assertions. The Committee believes that objective studies of education in other nations would be of considerable benefit to the national debate over what to do here at home. The legislation thus provides an authorization of $2.5 million to carry out such studies. In addition, the legislation authorizes $2.5 million for international education achievement comparisons in reading, mathematics and science, history and geography, civics and government, economics and foreign languages. The Committee notes that NCES has already published similar comparisons in mathematics and science, and laments the fact that Japan and Germany chose not to participate in these comparisons.

In addition, Part A authorizes a new program of international education exchange in civics and government education and economic education with Central and Eastern European countries, and the Commonwealth of Independent States. The successful transition of Central and Eastern European nations and the republics of the Soviet Union to constitutional democracy and the establishment of market economies is of paramount interest to the United

States and the world community. The difficulties of this transition are apparent and the need for assistance urgent. The working populations have been forced to cope with daily, dramatic changes in their economic and social lives. New phenomena like unemployment and decreased purchasing power place a significant strain on citizens as they struggle to adjust to a radically altered economic world. In this situation, individual difficulties are compounded by a limited understanding of the market system's mechanisms and operations, and by deeply ingrained negative attitudes toward entrepreneurship, individual prosperity, and the basic mechanisms of the market system.

Increasingly we find these nations turning to the United States for assistance. The most immediate response from both the public and private sectors in the United States has been to focus upon the urgent need to provide the assistance required for the establishment of successful market economies and for the drafting of new constitutions establishing constitutional democracies in a number of these states.

Less attention has been paid to the need to provide these states with assistance in the establishment of civic and economic education programs designed to provide an understanding among their peoples of the essential values and principles of constitutional democracy and the rights and responsibilities of citizens under this form of government, and of the market economic system. Such educational programs are urgently needed to develop among the former subjects of totalitarian systems the commitments to those principles and values which must be held by citizens of a constitutional democracy to enable it to flourish. In addition, recent studies offer conclusive evidence that the region's population currently lacks the knowledge that is needed for productive engagement and effective decision-making in the free market economy.

With respect to civics and government education, it is clear that assistance is needed in the following three major areas addressed in this legislation.

1. *Curricular materials.*—There is abundant evidence from these countries that their existing curricular materials in civics and government are unacceptable due to their focus upon indoctrination in Marxist ideology. Thus, new curricular materials must be developed in each nation for the entire pre-collegiate curriculum.

2. *Teacher training.*—The problem of a lack of adequate curricular materials is compounded by the fact that the vast majority of teachers of civics, government, and history under the Marxist regimes are not equipped by education or experience to provide educational programs in the fundamentals of constitutional democracy. Thus, present teachers must be retrained or replaced and an entire new generation of teachers must also be trained to meet the needs of their schools in order to provide effective programs in civic education.

3. *Reserch and evaluation.*—In addition to the needs for new curricula and newly trained or retrained teachers, these nations require assistance in the development of research and evaluation programs to enable them to discover what kinds of programs are most effective in attaining their goals in civic education.

Despite the shortcomings of civic education in many schools in the United States, there are numerous exemplary programs and curricular materials, effective models for teacher training, and a research and evaluation capacity that exceeds those of most, if not all, other advanced nations. The availability of such resources is known to the emerging leadership of many of the Central and Eastern European nations and the Commonwealth of Independent States whose requests for support from various groups in the United States have been increasing. Such requests far exceed the capacity of the United States to provide assistance with resources presently available from both the public and private sectors. This legislation is intended to be a partial, much needed, and immediate remedy for this shortcoming.

With respect to economic education, if the transformations are to be successful over the longer term, the youth and new entrants into the workforce must have gained the attitudes and knowledge needed for productive employment and participation the emerging systems. Research shows that the only feasible method of delivering such understanding is to provide teachers in elementary and secondary schools the skills and materials to teach their students and curriculum materials to use in the classroom

The Committee believes that the success or transformation depends upon common understanding of the benefits and the costs of a democratic market system. Without such understanding it is unlikely that the current reforms can be sustained.

The legislation authorizes $30 million in grants to carry out these activities. Of amounts appropriated, one-half shall be reserved for educational exchange in civics and government, and one-half shall be reserved for exchange programs in economic education. Within each reserve, the Secretary is directed to make one, but no more than three, awards for grants. All grants awarded shall be through an open competition process published in the Federal Register. The Committee is concerned that assistance to other nations provided under this Part be as coordinated as possible to avoid fragmentation or duplication. It is therefore the hope of the Committee that those awarded grants will coordinate their efforts in providing assistance to other nations.

Part B of Title III provides for a simple extension of the current law authorization of the Training Technology Transfer Act. This Act requires the Secretary to establish an office within OERI that will serve as the federal repository of all education and training technology programs developed or supported through all federal agencies. Its intent is to avoid duplication of effort in developing training programs through one agency which already may exist in another. In addition, the Office is charged with the responsibility of translating these training and education programs to fit school needs. Such technology programs would then be available through the Office for school use. The Committee regrets that the Office of Technology Training Transfer has not yet been established. It is the strong hope of the Committee that, particularly in light of the numerous recent reports regarding the utility of technology as a learning tool, the Department of Education will exhibit the necessary leadership to inaugurate this office.

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Part C of Title III expands the scope of information collected by the NOICC and SOICCs under the Carl D. Perkins Vocational Education Act to include information on postsecondary education institutions. The legislation adds the relevant state postsecondary board or agency to membership on the state occupational information coordinating committee, and requires that the occupational data gathered under the Student Right to Know Act be integrated into the occupational information system.

The legislation recognizes the de facto participation since 1977 of higher education on the state committee and in the occupational information system in a majority of the states. It places the only major source of occupational data not included in the original Act on the committee. The addition of higher education strengthens the occupational information coordinating committee concept, reduces the danger of developing an incompatible and separate system to meet reporting and dissemination requirements under recent legislation such as the Student Right to Know Act, promotes coordinated educational planning through ownership of a common data base, advances some of the goals of educational reform by enchancing coordination between secondary and postsecondary education in the area of occupational, career and labor market information, and makes postsecondary education an official participant in a state's comprehensive labor market and occupational information system.

Part D of Title III authorizes the Secretary to conduct a study of the satisfactory progress requirement described in section 484(c) of the Higher Education Act of 1965.

Part E of Title III establishes a National Education Standard and Assessment Council. The recent momentum on behalf of national standards and some form of national testing could scarcely have been imagined even a few years ago. Today, however, there is focus on the National Education Goals—including one requiring students to demonstrate competency in five core subject areas at various grade levels. The growing interest in this subject reflects a recognition that we have a stake as a nation in producing well-educated citizens and workers.

The Committee recognizes the need to increase our standards and expectations for students. The Committee also believes that the local control orientation of our education system is one of its real strengths. The proposal for the establishment of a National Education Standards and Assessment Council attempts to strike a balance between the often competing desires of assuring that students across the nation meet uniformly high standards while preserving the tradition of local education decisionmaking.

Many difficult questions deserving of broad public debate remain with respect to the development of voluntary world-class standards and assessments. These questions must be addressed in an open, systematic fashion. The Committee believes that the federal role in this effort should be one of informing the debate on the development of standards and assessment practices, coordinating efforts to develop higher standards and assessments to measure progress toward reaching those standards, and supporting field-initiated efforts to develop such assessments and standards.

Toward these ends, the bill adopts the recommendations of the National Council on Education Standards and Testing to establish

a fifteen-member National Education Standards and Assessment Council. Members of the Council will be appointed by the National Education Goals Panel and will include five education professionals, five members of the general public, and five public officials. The composition of the Council reflects the Committee's recognition of the need for technical expertise and for support from schools and communities. The bill also requires that any staff or consultants to the Council possess the necessary expertise and background to serve the Council.

The main functions of the Council will be to establish criteria for world-class content and student performance standards and to establish procedures for standard setting and certification of assessments. The Committee also expects the Council to address some very difficult technical and equity issues involved in the development of standards and assessments.

Specifically, the Council should provide a coordinating and oversight function to ensure that individuals and professional organizations become involved in the task of developing content and student performance standards. Content standards define what we expect students to know and be able to do in various subject areas. Performance standards define how well we expect students to perform at various grade levels.

The Council is also charged with establishing criteria for world-class content and student performance standards, establishing guidelines for standard setting and assessment development, and certifying world-class standards. The Council will also certify a process that will ensure that assessments used for the purpose of measuring individual student academic achievement incorporate "world-class" content and student performance standards that have been certified by the Council and National Education Goals Panel.

This process is intended to ensure that such assessments are valid, reliable, and unbiased for any purpose for which they may be used, and that they promote opportunity rather than harm for students. The Committee encourages the Council to adopt stringent scientific standards in developing guidelines to evaluate the technical merits of assessments such as the "Standards for Educational and Psychological Testing," issued by the American Psychological Association, The American Research Association, and the National Council on Measurement in Education, or the "Criteria for Evaluation of Student Assessment Systems," issued by the National Forum on Assessment.

Testing alone will not improve our education system or student achievement, but it can be a tool for promoting education reform. In order to assure the usefulness of tests, however, the Committee believes it is necessary to decide first what students should know. Therefore, the bill prohibits any tests from being certified until standards upon which a test may be based are certified.

In addition, the Committee encourages State and local education agencies to allow adequate time for teachers and students to adapt to and be exposed to new standards and any resulting new curricula before implementing any new tests. Individual schools, school districts, and states will define the curriculum they believe necessary to enable their students to attain the standards. The goal of

standards and tests should be to improve instruction and achievement, rather merely than to implement new tests as soon as possible.

The Council is charged with establishing more specific guidelines for the appropriate use and proper design of standards and assessments. The assessment mechanisms based on the standards should demonstrate how well students are performing with respect to the standards. The Committee does not intend that these assessments are to be used as sorting mechanisms for placement purposes or any other "high stakes" purposes. Rather, that are intended to be used as a guide to determine how well the students are doing relative to expected performance levels.

The Council, in cooperation with the National Center for Education Statistics or the Directorate on Curriculum, Instruction, and Assessment, is also charged with the collection of data on the implementation of these standards and assessments and the delivery system. This is necessary to order to determine which elements are essential to the successful implementation of such standards and assessments and to evaluate the effects of the implementation of such standards and assessments on student performance.

To encourage a broad national debate, the bill calls for regional meetings and consensus-development on what the standards should be, what purpose the tests should serve, and how the tests should be used.

There are numerous purposes which a test may serve. The Office of Technology Assessment asserts in its 1992 report, "Testing in American Schools: Asking the Right Questions," that educational tests can be grouped into three basic purposes: to aid teachers and students in the conduct of learning; to monitor system-wide educational outcomes; and to inform decisions about the selection, placement, and credentialing of individual students. The Committee cannot stress more strongly that the most important test purpose at this time is to improve teaching and learning and inform teachers and students.

In recognition of the potential impact these standards and tests could have on our educational system, the bill contains strong conflict-of-interest language. The Committee feels strongly about the need for the technical expertise but not at the expense of the integrity of the Council. Individuals with financial interests in standards or assessments will have ample opportunity for input through the process but are not appropriate candidates for membership on the Council.

Likewise, the Committee believes that this Council is so significant that individuals who are members of the National Education Goals Panel or who serve in a formal capacity with the Department of Education on matters relating to curriculum, standards, or assessment are inappropriate candidates for the Council. Also, having placed the Council under the Department of Education, the Committee fully expects the Department to find a way to support the Council's work and assure its quality without exerting undue federal influence or the appearance of such influence and without compromising other research, measurement, and improvement work in the Department.

Finally, the Secretary is directed to arrange for an independent evaluation of the work of the Council. Specifically, the evaluation should assess the technical expertise and objectivity of the Council and staff to the Council. In addition, the evaluation should examine the adequacy and quality of the procedures developed by the Council to certify content and student performance standards and assessments. Such evaluation should be conducted when the Council has developed procedures for content or performance standards or assessments which can be evaluated.

Part F of Title III creates a new program to provide grants to State educational agencies for the procurement of elementary science equipment. This part is designed to improve the quality of math and science instruction in elementary classrooms by providing equipment and materials necessary for "hands-on" instruction. Grants provided under this program can be used to purchase science equipment, science materials, or mathematical manipulative materials.

The Committee recognizes that children gain scientific knowledge most effectively through investigation and "hands-on" discovery activities. By funding the Dwight D. Eisenhower Mathematics and Science Education Act, Congress has provided support for teacher enhancement activities which provide training in new curricula and methodologies. Unfortunately, many elementary school teachers are unable to fully implement new techniques for teaching science and mathematics because their schools lack adequate resources. Less than one-third of the meager time spent on science in elementary classrooms is devoted to "hands-on" activities. One third of all science classrooms in grades four through six had no scientific equipment at all in the years 1985–6. That same year, sixty-four percent of all minority third grade students reported that they had never used a microscope.

The results are distressing. Research indicates that half of our young students have lost interest in science and mathematics by the time they leave the seventh grade. The situation must be remedied if America is to produce a technologically literate workforce as well as the engineers, scientists and mathematicians needed to remain economically competitive in an increasingly complex world.

This part provides for an authorization of $10 million in the first years, with such sums as necessary in the following four years to purchase elementary science equipment. Funds would be distributed to the states on the basis of formula employed in the Dwight D. Eisenhower Mathematics and Science Education Act. The States will coordinate grants to local education agencies who meet application requirements by presenting a well developed plan for coordinating their purchases with teacher training activities designed to support "hands-on" laboratory activities. Funds will be restricted to basic equipment and materials, not computers, computer software, or textbooks.

Part G of Title III establishes a new Parents as Teachers Program. This program provides seed money for states to develop and expand parent and early childhood education programs which will increase parents' knowledge of and confidence in childbearing activities, such as teaching and nurturing their young children; strengthening partnerships between parents and schools; and en-

hancing the developmental progress of participating children. Missouri, Rhode Island, Kansas, Illinois, Alabama and a number of other states have implemented an innovative early childhood/parent education program entitled "Parents as Teachers," which the Committee hopes other states will undertake as part of the effort to ensure that all children enter school ready to learn.

Independent evaluations have shown that children participating in the Parents as Teachers program in Missouri achieve significantly higher scores on the Kaufman assessment battery for children and the Zimmerman preschool language scale, standard indicators of later school success. Significant gains are found even in families with traditional risk factors such as low-income, single-parent, and minority status. The bill establishes a priority for proposals that focus on families that are "at risk". The Committee intends for this to include economically disadvantaged families, parents who lack literacy or other basic skills, and other indicators that the young children in such families are not likely to receive literacy training and educational stimulation without the Parents as Teachers Program.

Studies indicate that parental involvement is among the most critical factors in a student's academic success. Parents as Teachers is an early childhood/parent education program that fosters the link between home and school early in life. Assistance through the program is provided from a child's birth through age three. Monthly home visits, group meetings, and health screening are provided to participating families in an effort to teach parents to enhance the cognitive, social and motor development of their young children to insure that they enter school ready to learn.

The Committee has authorized $10 million in fiscal year 1993 and such sums as may be necessary through fiscal year 1997 for the purpose of training parent educators, providing the services mentioned above, and administering the program. Eligibility will be open to any family with a child from birth through age 3. Priority will be given to applications that include parents and children at risk. Agencies administering the program shall hire, and be responsible for, the training of parent educators who have had supervised experience in the care and education of children, develop recruitment programs for hard-to-reach populations, and administer periodic health and development screening of participating children.

Participation in the program will be entirely voluntary; no person shall be compelled to participate in the program against his or her wishes, nor shall the right of parents to direct the education of their children be infringed in any manner, including discipline and program content. Privacy rights of individuals and families will be maintained in accordance with the protections provided through the General Education Provisions Act, which shall prevent the release of information or data on families without a family's explicit permission.

The Committee envisions a decreasing federal share over the five year authorization, which will mean that programs shall generate sources of revenue other than the federal government so that the program may continue in the absence of federal assistance.

Part H of Title III authorizes OERI to fund a public television project which would support reading comprehension and writing coherence for elementary students. The Committee believes that the Department of Education through OERI should take a lead position in developing and demonstrating new ways of learning for America's children.

The Department has provided such leadership in the past. It was the Office of Education's Cooperative Research funds which helped start the series Sesame Street twenty-three years ago. Since that time, Department funds coupled with National Science Foundation and other public and private funds have supported such nationwide programs as 3-2-1 Contact, the science series for middle-schoolers and Square One IV, in mathematics. These programs provide important lessons and educational motivation daily to millions of youngsters nationwide through the cost-effective system delivery of public television for use at home, or in classrooms and after-school programs.

The Committee has held hearings in the past year which demonstrated the contributions which mass media and video technologies offer to instruction. The Committee notes the need for motivating improved reading comprehension and writing coherence for at-risk elementary age children, and is particularly impressed with an innovative new nationwide public television-based project, Ghostwriter, which shows promise of effectively reaching this target group. Such a project could also provide important new research in this field. The Committee believes that it is critical that such a project be funded, and has provided authorization under part H for this purpose.

Part I of Title III makes a technical change to the definition of "currently migratory child". The Committee notes that due to unique geographic circumstances some students, whose parents migrate long distances, do not qualify for federal funds under the State Agency Migrant Education Program. The Committee intends that where the spirit of the State Agency Migrant Education Program authorizing law has been met, the fact these students do not cross school district boundaries when traveling with their families to work locations should not prevent the receipt of aid.

Part J of Title III continues and expands the "Discover Early America: The National Historical Pictorial Map Contest", a successful educational program originally established by the Commission on the Bicentennial of the United States Constitution. The contest is renamed in honor of the Commission's Chairman, former Chief Justice Warren E. Burger, who inspired its establishment.

This National contest focuses on historical events and geography significant to the development of the United States Constitution. It was established in 1988 and conducted for three years as a cosponsored project administered by the Center for Civic Education. Implementation has occurred with the assistance of a network of State and Congressional District coordinators and has involved thousands of students annually at upper elementary, middle, and high school levels throughout the country.

From 1988 through 1991, the National Historical Pictorial Map Contest involved entries from 15,245 public and private schools. Approximately 1,372,000 students have been involved.

With its combination of geography, history, and art, this contest has received high accolades from students, teachers, parents, and administrators. A few examples include:

> The pictorial map contest was more than a research project. It became a starting point or "flame that ignited their minds" as well as establishing a greater self-worth."
>
> I have taught twenty-six years as a sixth grade teacher and have never seen such an effective motivator as the Bicentennial Pictorial Map. In the end, the map made everyone very proud to be Americans * * * I sincerely hope the Bicentennial Commission will continue to encourage students to pursue history through different means—primarily the pictorial map.

It is the opinion of the Committee that this contest helps meet the well-recognized National need for the improvement of instruction in history, geography, and civics and government. The contest is also a fitting means for recognizing Warren E. Burger, the sixteenth Chief Justice of the United States, who at the beginning of his tenure as Chairman of the Commission noted that its most outstanding legacy should be "to provide a civics and history lesson for all Americans."

Part K creates a new program to support educational technology entitled "Classrooms for the Future". The Committee believes that the Federal government must promote and invest in the development of state-of-the-art instructional programs to assist teachers and students. Substantial effort has been devoted to describing the need for improvement in education; elaborating on the shortfalls and gaps; and articulating in general terms, how a quality program would be structured. There needs to be a concerted effort to provide teachers and students the necessary technological tools that will help them implement the new challenging curricula that state departments of education across the nation are developing.

Educational technologies have improved teaching and learning for some students. The Committee agrees there is reason to believe that greater improvements for a broader group of students can be achieved through investments in high quality, technologically advanced learning resources for teachers and students. Technological tools for learning should be integrated into the basic curriculum, including mathematics, science, history and English for students of all ages.

Curriculum reform must include the use of integrated model courses which demonstrate to teachers that the use of multiple technologies can provide students with equitable access to information and can increase the quality of education provided. Using multiple technologies provides greater flexibility and allows easy manipulation and adaptation of curricula. It is a sad fact that many texts in our schools and our libraries will not reflect any of the world's momentous events of the past year for perhaps 5–10 years. The cost and time of textbook development, if not most print-based instructional packages, often results in a curriculum which is out-of-date. Instructional materials which take advantage of the multiple technologies and incorporate multi-media resources in a complementary fashion with print materials and other traditional ma-

terials are what is needed. This will provide a flexible and dynamic curriculum that is easily adapted and modified.

For a variety of reasons, producers of educational software have not been able or willing to develop the comprehensive technology-based instructional materials that K-12 students and teachers need. In order to encourage the development of model instructional materials that teachers can use in establishing more effective learning environments, the bill authorizes the establishment of a competitive grant program. Grants will be awarded to consortia of State or local educational agencies in partnership with businesses and institutions of higher education or other public or private non-profit organizations.

Each application for an award must include a description of how the program will improve achievement levels of students and assurances that the program will effectively serve a large number of percentage of economically disadvantaged students.

For this grant program, the bill provides an authorization of $25 million in fiscal year 1993 and such sums as may be available for fiscal years 1994 through 1997.

The instructional programs will consist of configurations of computer software and databases, films, transparencies, video and audio tapes/disks, telecommunications activities, print materials, and/or a variety of other resources. The scope of the instructional programs will resemble in breadth and depth that required for a complete course.

Part L authorizes a new Buddy System Computer Education program. Recent studies indicate that American students spend less than 10 percent of their time in the classroom. Since over 90 percent of a student's time is spent outside the school building, it is important that students be provided with the ability to extend their education beyond the confines of the classroom—computer networking provides such an opportunity.

The capabilities of computers in the classroom today far exceed those of the 1970s and early 1980s. One significant development has been the introduction of networked computers for use in the classroom. Personal computers can now be networked to on-line information sources to provide access to numerous services, including encyclopedia services, news, electronic bulletin boards, and educational games.

The benefits of extending computer access beyond the classroom environment are numerous. First, it will enhance learning by providing students with the technological tools and guidance necessary to develop skills critical to educational growth and success in the workplace. Second, it will encourage parental involvement in education and total family use and understanding of computers and telecommunications through at-home applications. Further, it would establish foundations for life-long learning through improvement in education skills and student motivation and attitudes.

This demonstration was modeled after the Buddy System Project, which was conceived in Indiana, in 1987, by a small private sector group, working with the Indiana Corporation for Science and Technology and the State Superintendent of Public Instruction, H. Dean Evans. The program emerged in response to issues such as educa-

tion in the Information Age, changing workforce demands, and the challenge to compete in a global economy.

The Buddy System Computer Education Demonstration authorizes a grant program to promote public-private partnerships which enable elementary and middle school students to utilize personal computers in the home environment. The Secretary of Education is authorized to award grants to three states to implement the demonstration, which is authorized to be appropriated at $5 million for FY93.

Each state receiving a grant will provide a continuous 3-year computer-based education project to two consecutive groups of students. For example, if an elementary school site were chosen, two consecutive groups of 4th graders would receive computers beginning with each groups entry into the 4th grade and ending the summer following each groups completion of the 6th grade.

The Committee intends the preference be given to states which have a demostrated ability or commitment to computer-based technology. Priority shall also be given to projects that serve school districts with a high percentage of economically disadvantaged students. Further, the Committee intends that students participating in the program be permitted to keep the computers over the summer months.

Part M brings the pay rate for all Assistant Secretaries of Education up to level IV of SES.

Part N of Title III is a technical correction to the Star Schools Assistance Act to limit funds for evaluation to no more than $500,000.

Title IV provides standard definitions for the OERI reauthorization bill, such as local educational agency, secondary school, State educational agency and other such definitions.

V. Regulatory Impact Statement

The Committee has determined that there will be minimal increases in the regulatory burden imposed by this bill.

VI. Cost Estimate

U.S. Congress,
Congressional Budget Office,
Washington, DC, April 9, 1992.

Hon. Edward M. Kennedy,
Chairman, Committee on Labor and Human Resources,
U.S. Senate, Washington, DC.

Dear Mr. Chairman: As requested, the Congressional Budget Office has prepared the enclosed cost estimate for S. 1275, the Office of Educational Research and Improvement Reauthorization Act, as ordered reported by the Committee on Labor and Human Resources on March 18, 1992.

S. 1275 would allow for the accepting and disposing of gifts by an agency of the Department of Education, which could result in changes in direct spending and receipts. Therefore, the bill would be subject to pay-as-you-go procedures under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985. However,

CBO has not estimated any direct spending or receipt effects resulting from enactment of this bill.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

ROBERT D. REISCHAUER,
Director.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: S. 1275.

2. Bill title: Office of Educational Research and Improvement Reauthorization Act.

3. Bill status: As ordered reported by the Senate Committee on Labor and Human Resources on March 18, 1992.

4. Bill purpose: To reauthorize funding for the Office of Educational Research and Improvement, to provide for miscellaneous education improvement programs, and for other purposes.

5. Estimated cost to the Federal Government:

[By fiscal years, in millions of dollars]

	1993	1994	1995	1996	1997
TITLE I					
Independent evaluation of OERI:					
Estimated authorization level	4				
Estimated outlays	(1)	1	1	1	1
Development of standards and guidelines:					
Estimated authorization level	(1)				
Estimated outlays	(1)				
Long-term agenda:					
Estimated authorization level	1				
Estimated outlays	(1)	1	(1)		
National Directorate on Curriculum Instruction and Assessment:					
Estimated authorization level	35	36	37	39	40
Estimated outlays	15	33	37	38	39
National Directorate on Early Childhood Learning, Families and Communities:					
Estimated authorization level	7	7	8	8	8
Estimated outlays	3	7	7	8	8
National Directorate on the Educational Achievement of Historically Underserved Populations:					
Estimated authorization level	7	7	8	8	8
Estimated outlays	3	7	7	8	8
National Directorate on School Organization, Structure and Finance:					
Estimated authorization level	7	7	8	8	8
Estimated outlays	3	7	7	8	8
National Directorate on Postsecondary and Adult Education:					
Estimated authorization level	7	7	8	8	8
Estimated outlays	3	7	7	8	8
National Directorates Synthesis and Coordination Activities:					
Estimated authorization level	7	7	8	8	8
Estimated outlays	3	7	7	8	8
National Directorates Salaries and Expenses:					
Estimated authorization level	12	13	13	14	14
Estimated outlays	9	12	13	14	14
Regional education laboratories for research and dissemination:					
Estimated authorization level	37	38	40	41	42
Estimated outlays	16	35	39	40	41
Teacher Research Dissemination Network:					
Estimated authorization level	20	21	21	22	23
Estimated outlays	9	19	21	22	22

[By fiscal years, in millions of dollars]

	1993	1994	1995	1996	1997
Office of Educational Dissemination:					
Estimated authorization level	5	5	5	6	6
Estimated outlays	4	5	5	6	6
National Diffusion Network State Facilitators:					
Estimated authorization level	10	10	11	11	11
Estimated outlays	1	8	10	11	11
National Education Library:					
Estimated authorization level	10	10	11	11	11
Estimated outlays	4	9	11	11	11
Education resources information clearinghouses:					
Estimated authorization level	7	7	8	8	8
Estimated outlays	3	7	7	8	8
Subtotal for title I:					
Estimated authorization level	176	177	183	189	196
Estimated outlays	77	162	180	186	192
TITLE II					
Authorization of appropriations for section 406 of the General Education Provisions Act:					
Estimated authorization level	85	88	91	94	97
Estimated outlays	37	80	89	92	95
National Center for Education Statistics Salaries and Expenses:					
Estimated authorization level	15	16	16	17	18
Estimated outlays	12	15	16	17	18
Office of Educational Technology:					
Estimated authorization level	3	3	3	3	4
Estimated outlays	2	3	3	3	4
Subtotal for title II:					
Estimated authorization level	103	107	110	114	118
Estimated outlays	51	98	108	112	116
TITLE III					
International Education Program (IEP) Assessments and information:					
Estimated authorization level	3	3	3	3	3
Estimated outlays	1	2	3	3	3
IEP—Achievement comparisons:					
Estimated authorization level	3	3	3	3	3
Estimated outlays	1	2	3	3	3
IEP—International Education Exchange:					
Estimated authorization level	30	31	32	33	34
Estimated outlays	13	28	31	32	34
Office of Training Technology Transfer:					
Estimated authorization level	3	3	3	3	4
Estimated outlays	2	3	3	3	4
Satisfactory progress study:					
Estimated authorization level	1				
Estimated outlays	(1)	(1)	(1)		
National Education Standards and Assessment Council (NESAC):					
Estimated authorization level	2	2	2	2	2
Estimated outlays	1	2	2	2	2
GAO evaluation of NESAC:					
Estimated authorization level	(1)				
Estimated outlays	(1)				
Elementary Science Equipment Act:					
Estimated authorization level	20	21	21	22	23
Estimated outlays	9	19	21	22	22
Parents as teachers programs:					
Estimated authorization level	10	10	11	11	11
Estimated outlays	4	9	10	11	11
Media instruction:					
Estimated authorization level	5	5	5		

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(By fiscal years, in millions of dollars)

	1993	1994	1995	1996	1997
Estimated outlays	2	5	5	3	.....
History and principles of the Constitution:					
Estimated authorization level	2	2	2	2	2
Estimated outlays	1	2	2	2	2
Classrooms for the future:					
Estimated authorization level	25	26	27	28	29
Estimated outlays	11	24	26	27	28
Buddy system computer education:					
Estimated authorization level	5	5	5	6	6
Estimated outlays	2	5	5	5	6
Subtotal for title III:					
Estimated authorization level	108	111	114	113	117
Estimated outlays	47	102	112	114	115
Bill total:					
Estimated authorization level	387	394	408	417	431
Estimated outlays	176	362	400	412	423

[1] Less than $500,000

Subtotals may not add to bill totals due to rounding.

The costs of this bill fall in budget function 500.

Basis of Estimate: S. 1275 would reauthorize certain existing programs and authorize new programs within the Office of Educational Research and Improvement (OERI) and throughout the Department of Education (ED). Except as noted below, authorizations of appropriations are specified for fiscal year 1993 and such sums as may be necessary are authorized to be appropriated through 1995, 1997, 1999 or permanently, depending on the program. For these cases, the tables show the amounts specified for 1993 but CBO has estimated the authorization levels, where applicable, through 1997 by adjusting the 1993 levels for projected inflation. Outlays are estimated by considering historical spending patterns of comparable programs. Estimated outlays assume full appropriation of authorized amounts.

The following additional estimates are based on information from the budget office at ED and from the General Accounting Office (GAO) and assume enactment of S. 1275 before the end of fiscal year 1992.

S. 1275 would authorize the Assistant Secretary for Educational Research and Improvement to enter into a contract for the conduct of an independent evaluation of OERI. A final evaluation would be provided at the end of the authorizing period. CBO estimates the cost of this evaluation to be $3.5 million, to be authorized in fiscal year 1993 and spent over the fiscal years 1993 through 1999.

S. 1275 would also require the Assistant Secretary to develop, either directly or through a grant or contract, standards and guidelines for research, programs and activities carried out through OERI. CBO estimates the cost of this project to be $200,000 in fiscal year 1993.

The Assistant Secretary would also be required by S. 1275 to report to the President and the Congress on a six-year long-term agenda for OERI. CBO estimates the cost of this endeavor to be

$1.1 million, outlayed over the three fiscal years, 1993, 1994, and 1995.

S. 1275 would authorize the Secretary of Education to conduct a study of the satisfactory progress requirement to be completed, by January 1, 1995. A report on this study would be required to be submitted to Congress by July 1, 1995. CBO estimates that the study and report will cost $600,000 to be spent over fiscal years 1993, 1994, and 1995.

S. 1275 would require a GAO evaluation of the work of the National Education Standards and Assessments Council (NESAC). CBO assumes that this evaluation would take place after the first annual report of NESAC (i.e. fiscal year 1993). Based on information from GAO, CBO estimates that this evaluation will cost approximately $150,000.

Under section 333 of S. 1275, NESAC would be allowed to accept and use or dispose of gifts and donations of services and property. This provides NESAC with direct spending authority in the absence of an appropriation. Several other programs within ED have similar authority but most have never received any gifts. While such gifts are unusual, they are not unprecedented. The National Council on Libraries and Information Sciences (NCLIS) will have received and spent $125,000 in gifts over fiscal years 1991 and 1992. Aside from the NCLIS account, ED has received contributions, over the last six years, of $600,000 (from an estate and $40,000 (from the Time/Life Corporation). Nevertheless, because such donations are uncommon and because no particular gifts are expected by NESAC, CBO has not estimated any direct spending effects from this section.

6. Pay-as-you-go consideration: The Budget Enforcement Act of 1990 sets up procedures for legislation affecting direct spending or receipts through 1995. As stated above, section 333 of S. 1275 could affect direct spending. The bill would have the following pay-as-you-go impact:

[by fiscal year, in millions of dollars]

	1993	1994	1995
Outlays	0	0	0
Receipts	0	0	0

7. Estimated cost to State and local government: In order to participate in the Parents as Teachers Program, described in Part G of Title III of S. 1275, states must compete for grants and provide 25 percent of total costs in the third year for which they receive funding, 50 percent in the fourth year, and 75 percent in the fifth year.

Section 321 of S. 1275 may require expenditures by state governments to integrate data provided regarding graduation or completion rates, job placement rates, and licensing rates into a federal occupational information system. It is not clear to what extent and how states already collect this data, so the cost impact of this section on state and local governments is indeterminable.

8. Estimate comparison: None.

9. Previous CBO estimate: None.

10. Estimate prepared by: Joshua Leichter.
11. Estimate approved by: C.G. Nuckols, Assistant Director for Budget Analysis.

VII. Section-by-Section Analysis

Section 1 provides that this legislation is to be titled the "Office of Educational Research and Improvement Reauthorization Act".

TITLE I—OFFICE OF EDUCATIONAL RESEARCH AND IMPROVEMENT

Section 101 repeals Section 405 of the General Education Provisions Act, and replaces it with the following:

Section 405 codifies the purposes and composition of the Office of Educational Research and Improvement (OERI).

Section 405(a)(1). Declares the mission of the office is to foster the development of educational policy which is consistent with the achievement of national education goals, and specifically, to improve the linkage between educational research findings and classroom practice.

Section 405(a)(2). Provides the OERI shall be administered by the Assistant Secretary for Educational Research and Improvement and include: five "directorates" on education; regional education laboratories; the Office of Educational Dissemination; the Education Resources Information Clearinghouses (ERIC); the National Library; the National Center for Education Statistics (NCES); and other entities the Assistant Secretary deems appropriate.

Subparagraph (B) provides the OERI is also to include a nine member Distinguished Board of Governors with diverse and eminent backgrounds in educational research and teaching. Board members, appointed by the President with the advice and consent of the Senate, may not serve on any other Department of Education advisory board, panel, peer review panel, task force, or as a paid consultant to the Department. Board members are limited to two consecutive six year terms.

The Distinguished Board of Governors is to advise the Nation on educational research efforts and the Assistant Secretary on standards to ensure that high quality research is pursued. In addition, the Board is to make a series of recommendations regarding ways to strengthen the interaction between researchers, practitioners and policymakers. The Board shall issue a report every two years to the President for submission to Congress regarding the activities of the OERI, educational research and national academic achievement in general. The Assistant Secretary is to appoint staff members, assigned by the Board, to assist the Board in carrying out its mandate.

Subparagraph (C) defines a series of terms including "education research," "dissemination," and "technical assistance."

Section 405(b)(1). Authorizes the OERI to conduct, support, and collect education-related research; train individuals in educational research, coordinate federal education-related research activities; promote the use of research by practitioners; and disseminate findings to general public.

Section 405(b)(2). Requires the Assistant Secretary to ensure a broad range of public and professional input in the formulation

and implementation of the OERI's activities; enter into a contract for the independent evaluation of the OERI's activities; ensure selection of research topics is free from undue political influence; advise the Nation on the effectiveness of the OERI's activities and recommend improvements; develop standards and guidelines for research; establish a long and short-term research agenda in consultation with the Board; and promote research synthesis across directorates within the OERI.

Subparagraph (B) authorizes the Assistant Secretary to assist State and local education agencies in developing policies to ensure that no student is denied access to a challenging curriculum or grouped in such a manner as to impede their educational development.

Subparagraph (C) requires the Assistant Secretary submit a report to Congress one year following enactment regarding the long-term research agenda of the OERI. Every other year thereafter, the Assistant Secretary is to submit a report of progress regarding the long-term agenda.

Section 405(b)(3). Provides all grant contracts and cooperative agreements of the OERI are to be awarded on a competitive basis.

Section 405(c)(1). Requires the Assistant Secretary to establish five "directorates" of educational research within the OERI and to appoint a Director for each. The Assistant Secretary is to promote research synthesis, coordinate plans, projects, and findings among the directorates.

Section 405(c)(2). Requires each directorate to directly or indirectly through grants, contracts or cooperative agreements conduct educational research; serve as a national database on model programs; support or design dissemination activities to bring relevant research to the classroom and to State and local policymakers within the realm of its relevant mandate. The activities of each directorate shall be coordinated with the activities of the regional educational laboratories whenever possible.

Section 405(c)(3). Requires each directorate to reserve at least 15% of its funds to conduct field-initiated research. At least 33% of each directorate's funds are to be reserved for the support of up to two long-term national research centers.

Section 405(c)(4). Provides all grants, contracts, or cooperative agreements awarded or entered into by the OERI to establish a national research center must be for a period of ten years. Each center is to be located at a single site.

Section 405(c)(5). Provides the Distinguished Board of Governors shall evaluate and provide recommendations to Congress regarding the quality of research conducted through each directorate.

Section 405(c)(6). Provides the Assistant Secretary is to periodically publish proposed research priorities developed by each directorate.

Section 405(c)(7). Provides the Assistant Secretary is to make public notice of all competitive research grants or contracts in the Federal Register.

Section 405(c)(8). Provides each directorate head is to report to the Assistant Secretary, regarding the activities of the directorate.

Section 405(d). Establishes a Directorate on Curriculum, Instruction, and Assessment. Authorizes the directorate to conduct re-

search on improving student knowledge in English, math, science, history, geography, civics and government, foreign languages, arts and humanities, economics, and teacher training in these areas. Authorizes the directorate to develop or identify and study different forms of educational standards and assessments. Research is to include the use of technology in these areas.

Section 405(e). Establishes a Directorate on Early Childhood Learning, Families, and Community. Authorizes the directorate to conduct research on early childhood education, family literacy and learning, child readiness to learn, and teacher training. Research is to include the use of technology in these areas.

Section 405(f). Establishes a Directorate on Educational Achievement of Historically Underserved Populations. Authorizes the directorate to conduct research on the quality of educational opportunities, effective practices, and methods for improving achievement of historically underserved populations. Research is to include the use of technology in these areas.

Section 405(g). Establishes a Directorate on School Organization, Structure, and Finance. Authorizes the directorate to conduct research on school-based management, innovative school design, cooperative learning methods, and school finance. Research is to include the use of technology in these areas.

Section 405(h). Establishes a Directorate on Postsecondary and Adult Education. Authorizes the directorate to conduct research on adult education and vocational training, literacy, postsecondary education, lifelong learning prospects, and teacher training. Research is to include the use of technology in these areas.

Section 405(i). Authorizes the Assistant Secretary to appoint up to twenty percent of the total professional personnel in the OERI from outside the civil service for terms of up to three years. Such personnel may be reappointed for one term only and shall not be assigned to duties outside the OERI.

Section 405(j). Specifies required elements of selection process in awarding competitive grants or contracts. Among these required elements is the solicitation of advise from qualified experts in the relevant field, peer review procedures, and an assurance of mutual consent in future contractual modifications.

Section 405(j)(2). Authorizes the Assistant Secretary to establish educational research fellowships. Fellowships are to be subject to regulation by the Assistant Secretary. Competition for such fellowships is to be announced in the Federal Register.

Section 405(k)(1). Authorizes the Assistant Secretary to support at least ten but not more than 15 educational research laboratories.

Section 405(k)(2). Defines the term "regional laboratory." Each laboratory is to operate under the direction of its own governing board, not the Distinguished Board of Governors or the OERI. Regional laboratory governing boards are to include teachers as members.

Section 405(k)(3). Requires each laboratory to develop a plan in conjunction with the State educational agencies (SEAs) to identify and serve the needs of regional local educational agencies (LEAs). Laboratories are to: disseminate educational research: conduct specific applied research projects; facilitate communication between

the OERI, educational experts, and individual local education community members; provide technical assistance to SEAs and LEAs for adapting model programs to specific individual local needs. Laboratories are authorized to support internships and fellowships to provide practitioners with training in new educational methods.

Subparagraph (M) provides laboratories are to maximize the use of research conducted through the directorates in their activities and to inform the OERI of the region's needs and the laboratories' efforts in fulfilling those needs.

Section 405(k)(4). Requires each laboratory's governing board to identify regional needs; ensure the respective laboratory is carrying out high quality activities consistent with the national education goals; and prioritize each laboratory's activities on the needs of the economically disadvantaged.

Section 405(k)(5). Provides laboratories are to be designated following an open competition to be announced in the Federal Register.

Section 405(k)(6). Authorizes the Assistant Secretary to enter into agreements with the regional laboratories to carry out additional projects consistent with the national education goals.

Section 405(k)(7). Provides receipt of a laboratory contract from the OERI is not to abridge the opportunity to compete for other OERI grants, contracts, or cooperative agreements.

Section 405(k)(8). Provides each laboratory is to report to the Assistant Secretary an assessment of its current success in meeting the needs of its respective region and its following year's mission.

Section 405(k)(9). Provides laboratory contracts are to be for a minimum of five years.

Section 405(k)(10). Specifies provisions of S. 1275 do not apply to current laboratory contractual agreements.

Section 405(l)(1). States Congressional finding that the linkage between educational research and classroom instruction is inadequate.

Section 405(l)(2). Authorizes the Assistant Secretary to award three year grants or contracts to laboratories to conduct regional teacher training programs. Award sizes are based on the number of students, teachers, and schools in a region. Up to 250 teachers per region may participate each year. Should another regional laboratory fail to submit an acceptable proposal, the Assistant Secretary may present an award to a laboratory to serve more than one region.

Section 405(l)(3). Specifies program activities and teacher responsibilities. Each laboratory is to develop three one year teacher training programs that are targeted around the needs of participants; acquaint participants with latest educational research findings; empower participants with knowledge of how to acquire—or be supported in conducting—educational research in the future; and certify participants in the use of three to four educational research products or programs. Identifies teachers of program participants as "teacher research dissemination experts." Programs are to provide teacher training during the summer months.

Subparagraph (B) specifies that should appropriations exceed $30 million for the Teacher Dissemination Training Network, each program is required to reduce the number of participants a teacher re-

search dissemination expert must reach. Once such a reduction is achieved, each program is authorized to support a range of activities including: assistance in research conducted by participants; teacher research sabbaticals; and teacher training in applied research methodologies, testing assessment, and school management.

Subparagraph (C) requires teachers to meet with other teachers in the district to share information, help interested schools identify problem areas, and teach others how to use resources introduced through each regional laboratory's program.

Subparagraph (D) specifies application contents and process for regional laboratories wishing to participate in the activities authorized under this subsection. Each application must ensure that a participating regional laboratory shall provide each participating teacher with a stipend during the summer months of instruction commensurate with each teacher's salary and travel expenses. Among other assurances, laboratories are required to award participating teachers $10,000 to be used to purchase materials, support teacher to teacher activities with others in the participant's school district, and otherwise participate in the program. Each school district having a teacher participating must receive $5,000 for each of the two years following participation to continue efforts aimed at advancing research dissemination activities within the district.

Section 405(l)(4). * * *

Section 405(l)(5). Provides participants in programs described under this subsection are to be nominated by their peers.

Subparagraph (B) requires school districts desiring to have a teacher from such district participate in a program authorized under this subsection make available to the Assistant Secretary the names of such teachers, the needs such teachers participation is aimed to fulfill, and an assurance such teachers will be released from regular teaching duties, and their salaries will be paid.

Subparagraph (C) provides teachers will be selected for program participation by the regional educational laboratories in consultation with the National Diffusion Network State facilitator and State educational agencies in the region.

Section 405(l)(6). Requires the Assistant Secretary to provide an independent evaluation of the programs established under this subsection to Congress by September 1, 1996. Not more than $1 million of the amount appropriated to fund programs established under this subsection may be used for the evaluation.

Section 405(l)(7). Defines terms "educational research infrastructure" and "regional educational laboratory."

Section 405(m)(1). Requires the Assistant Secretary to establish an Office of Educational Dissemination to be headed by a Director appointed by the Assistant Secretary. The Office may include Education Resources Information Clearinghouses (ERIC), the National Diffusion Network (NDN), and the National Education Library.

Section 405(m)(2). Requires the Office of Educational Dissemination to operate a depository for all Department of Education publications and products; disseminate useful and relevant research to all the nation's schools; coordinate and oversee the dissemination efforts of all other OERI offices, regional laboratories, directorates, the NDN, and ERIC to whatever extent possible; develop a system

whereby schools and teachers seeking information may easily contact relevant OERI offices or supported organizations; and provide an annual report to the Secretary regarding information practitioners have requested and determined to be most useful, and describe future plans to disseminate such information.

Section 405(m)(3). Provides the Office of Educational dissemination may establish a database of all research efforts funded by the Department of Education; utilize educational technology to carry out dissemination activities; disseminate information on educational models recommended by nationally recognized interested parties; engage in any other dissemination activities the Assistant Secretary determines necessary.

Section 405(n). Reauthorizes the National Diffusion Network (section 1562 of the Elementary and Secondary Education Act of 1965) to provide information through state facilitators on model or demonstration programs funded by the Department.

Section 405(o)(1-3). Establishes a National Library of Education at the Department of Education. Provides the Library is to be the principal center for the collection, preservation, and utilization of research related to education. Requires that there be wide access to the Library's materials and that the Library have an expert staff. The Library is to have the potential to link with other educational centers and libraries nationwide to create a network of national educational resources.

Section 405(o)(4). Requires the Secretary to appoint a task force of scholars, librarians, teachers, parents, and school leaders to provide advice on the establishment of the Library. The task force shall report to the Secretary on the activities of the Library not later than 6 months after the task force first meets.

Section 405(o)(5). Requires the Secretary to appoint an experienced librarian as head librarian for a five year term which may be renewed as the Secretary deems fit.

Section 405(p). Provides for the establishment of ERICs which supply on-line data of educational publications and periodicals.

Section 405(q)(1). Authorizes $79 million and such sums in fiscal years 1994-1999 for the Directorates on Educational Research and Improvement. 50% of such funds appropriated must be made available to the National Directorate on Curriculum, Instruction and Assessment. 10% of such funds appropriated must be made available to each of the remaining four directorates. The final 10% of the appropriated funds are to be made available to the Assistant Secretary to carry out research and synthesis activities described in subsection (c)(1)(A). At least 95% of appropriated funds must be expended through grants, cooperative agreements, or contracts.

Subparagraph (B) authorizes $12 million and such sums in fiscal years 1994-1999 to carry out the activities of subsection (c).

Section 405(q)(2). Authorizes $37 million and such sums in fiscal years 1994-1999 for the regional laboratories.

Section 405(q)(3). Authorizes $5 million and such sums in fiscal years 1994-1999 for the Office of Educational Dissemination.

Section 405(q)(4). Authorizes $20 million and such sums in fiscal years 1994-1999 for the Teacher Research Dissemination.

Section 405(q)(5). Authorizes $10 million and such sums in fiscal years 1994–1999 for the National Diffusion Network State Facilitator.

Section 405(q)(6). Authorizes $10 million and such sums in fiscal years 1994–1999 for the National Education Library.

Section 405(q)(7). Authorizes $7 million and such sums in fiscal years 1994–1999 for the Education Resource Information Clearinghouses.

Section 405(q)(8). Provides that contracts for regional laboratories and centers assisted under the Section 405 of the General Education Provisions Act on the date of enactment of S. 1275 shall remain in effect until the termination date of such contracts. Grants for research centers assisted under said section which terminate prior to the completion of competition for new centers described in Section 405(c)(3)(B) as amended by S. 1275 may be extended until such new awards are conferred.

TITLE II—IMPROVED STATISTICS REGARDING AMERICAN SCHOOLS

Section 201(a) amends Section 406 of the General Education Provisions Act to reauthorize the National Center for Education Statistics (NCES) and the National Assessment of Educational Progress (NAEP) for a total of $85 million and such sums for fiscal years 1994–1999. The Commissioner of NCES is to possess substantial data collection experience with the National Center, expertise in mathematical statistics, or have extensive knowledge of the uses of statistics for policy purposes.

Section 201(a) also authorizes $15,000,000 for salaries and expenses for NCES for fiscal year 1993 and are same as may be necessary for each of the fiscals years 1994 through 1999.

Paragraph (3) authorizes NAEP to conduct trial math assessments in 4th and 8th grades and a reading assessment in 4th grade, in states that wish to participate. NAEP is also authorized to develop a trial math assessment in 12th grade, reading assessments in 8th and 12th grades, and science assessments in 4th, 8th, and 12th grades, to be administered in states that wish to participate. Assessments are to include public and private school students.

Subparagraph (B) requires that the National Assessment Governing Board (NAGB) shall be composed of members who are psychometrians, educational psychologists, or measurement experts with experience working on large assessments. NAGB members may not serve on any other Department of Education advisory board, panel, peer review panel, task force, or as a paid consultant to the Department. Technical employees of NAGB must be eminently qualified to assist NAGB in administering the assessments.

Subparagraph (C) provides that no adoption, use, or reporting of achievement goals are to be made until there is an independent technical review of the assessments validity and potential replication.

Paragraph (4) provides the Director of the Congressional Budget Office is to be able to secure information in the Center's possession.

Section 201(b) requires a report to Congress, by an independent evaluator of NAEP, which will explain the process by which

achievement goals are set at an appropriate level, and the ability of the NAEP to maintain valid data with respect to trends in student performance. The report shall be submitted within 120 days of enactment.

Section 202 requires the Commissioner of Education Statistics to report on the number of elementary and secondary school dropouts nationwide. The report is to include statistical information on the race and ethnic origin, rural and urban location, and State residence of such students. Defines "school dropout" as stated in the Elementary and Secondary Education Act of 1965.

Paragraph (2) requires States to provide the Secretary with such information as may be required for the report. States may use Chapter II block grant funds (as provided in ESEA) to meet any associated costs.

Section 203 provides the Secretary may enter into agreements with the Secretary of Defense and the Secretary of Interior whereby students who are military-connected or in school for Indian children operated by the Bureau of Indian Affairs are included in the National Assessment. Defines term "State."

Section 204 amends Section 402 of the Department of Education Organization Act to allow the Secretary to use not more than one percent of funds appropriated for any education program that awards funds on a competitive basis to pay the expenses of field readers. This section is only applicable to programs where there are no funds authorized to pay such expenses.

Section 205 amends Title II of the Department of Education Organization Act to add the following:

Section 216(a) establishes within the OERI, an Office of Educational Technology (OET).

Section 216(b) amends Part A of the General Education Provisions Act to add the following:

Section 405A(a). Requires the Secretary to appoint a Director of the OET who has demonstrated expertise and experience in the application of technology for education instruction, management, and policy formation.

Section 405A(b). Requires the Assistant Secretary to appoint a Technology Board consisting of a range of members who have expertise in the development of technological systems, past and ongoing education experience, and are educators experienced in the use of technology in the classroom.

Section 405A(c). Provides Director with the option of hiring staff to assist in the OET in its functions and stipulates compensation conditions.

Section 405A(d). Requires the OET to provide leadership in educational technology policy development; administer the Star Schools Program, the activities of the Office of Training and Technology Transfer, and any other programs the Assistant Secretary deems appropriate; develop agreements with each of the directorates and other Federal agencies to ensure the coordination of technology activities and policies; provide guidelines to establish a technology education repository to house existing educational technology and dissemination information requested by teachers, administrators, and the public; develop a proposal for developing a fair system of gauging the use of information provided via an electronic

network to local classrooms, and appropriately charging for copyrighted materials and computer access time; and promote the use of technology by the OERI.

Section 405A(e). Transfers the Office of Training Technology Transfer to the OET.

Section 405A(f). Requires the Secretary, upon completion of the proposed guidelines for the educational technology repository described in subsection (d), to provide for an independent study to determine the estimated costs of creating such a repository and dissemination system and assess the availability of educational technology to practitioners once it has been transmitted to an LEA. Paragraph (2) provides in conjunction with the study referred to in this subsection, studies conducted by other Federal agencies may be utilized whenever possible.

Section 405A(g). Authorizes $3 million and such sums in fiscal years 1994-1999 for salaries and expenses of the OET.

TITLE III—EDUCATIONAL IMPROVEMENT PROGRAMS

Part A—International Education Program

Section 311(a) requires the Secretary to carry out an International Education Program in accordance with this section to provide for international achievement comparison, study of the education programs and delivery system of other nations, and an international exchange program.

Section 311(b) requires the Secretary to award grants for the study of effective educational practices in other nations.

Section 311(c) requires the Secretary to develop or identify a series of tests to provide international achievement comparisons.

Section 311(d)(1) requires the Secretary to make available to educators from eligible countries exemplary programs in economics and civics and government education developed in the United States, and to assist eligible countries in the adaptation of such programs. The Secretary is to develop for the United States educational programs which draw upon the experiences of emerging democracies; facilitate an exchange of ideas and experiences in economics and civics and government education among leaders of eligible countries; and support research on the effects of such educational programs on students' knowledge of constitutional democracy and free market economics.

Subparagraph (B) provides the Secretary is to equally divide each fiscal year the amount of funds available to carry out this subsection between civics and government education programs and economics education programs.

Section 311(d)(2) authorizes the Secretary to competitively award up to three separate contracts to non-profit organizations to perform the duties of the program. Such organizations must have demonstrated experience in the: formulation and implementation of national civics and government and economics education programs for students in grades K-12; the development and implementation of cooperative university and school based in-service training programs for teachers of grades K-12; the administration of international seminars on such subjects; the development of model civics and government and economics education curriculums; and the au-

thority to subcontract with other organizations to carry out the functions of the program.

Section 311(d)(3) requires the international education program to provide eligible countries and U.S. participants with: seminars on the basic principles of constitutional democracy and free market economics; home stays in U.S. communities; visits to U.S. school systems; translation of basic U.S. political and market economics theory documents, such as the Federalist and the Wealth of Nations; and research and evaluation assistance to determine the effects of the international education program.

Section 311(d)(4) provides all printed materials furnished to eligible countries under the international education program bear the inscription, "A gift of the American people to the people of (insert name of country)."

Section 311(d)(5) provides the primary participants in the international education program are to be leading educators from the United States and eligible countries.

Section 311(d)(6) authorizes the Department of Education to provide personnel and technical experts to help eligible countries establish and implement a data base to improve educational organization, structure and delivery systems.

Section 311(d)(7) defines the term "eligible country."

Section 311(e) authorizes $2.5 million and such sums in fiscal years 1994-1999 for studies of effective educational practices in other nations, $2.5 million and such sums in fiscal years 1994-1999 to develop or identify international achievement comparison tests, and $30 million and such sums in fiscal years 1994-1999 for the international education program.

Part B—Transfer of Education and Training Software

Section 315 amends The Training Technology Transfer Act of 1988 by adding the following:

Section 6108. Authorizes $3 million and such sums in fiscal years 1994-1999 to carry out the chapter.

Part C—Amendments to the Carl D. Perkins Vocational and Applied Technology Education Act

Section 321 amends Section 422 of the Carl D. Perkins Vocational and Applied Technology Education Act to require State boards for higher education to develop a data collection system so that higher education data (graduation or completion rates, job placement rates from occupationally specific programs, and licensing rates) may be added to data the National Occupational Information Coordinating Committee currently collects.

Part D—Satisfactory progress study

Section 325 amends Part A of title XIII of the Higher Education Amendments of 1986 by added the following:

Section 1308(a). Authorizes the Secretary to conduct a study of the satisfactory progress requirement described in Section 484(c) of the Higher Education Act of 1965 to examine whether or not there is a need to apply these requirements to postsecondary institutions with short periods of instruction, and how such requirements might be applied to these institutions. The Secretary is to also ex-

amine whether or not there is a need to apply such requirements to the first year of instruction and the problems first year students have adjusting to a postsecondary institution. The Secretary is to recommend whether or not there is a need to exempt first year students from satisfactory progress requirements.

Section 1308(b). Requires the Secretary to complete the study by January 1, 1995.

Section 1308(c). Requires the Secretary to submit a report by July 1, 1995 assessing how satisfactory progress requirements, described in Section 484(c) of the Higher Education Act of 1965, are working and to recommend improvements.

Part E—National Education Standards and Assessments Council

Section 331(a) establishes within the Department of Education a National Education Standards and Assessments Council.

Section 331(b) provides the Council shall consist of 15 members appointed by the National Education Goals Panel described in Section 113 of the Neighborhood Schools Improvement Act. Five members are to be public officials, five are to be educators, and five are to be members of the general public. The Council is to be appointed within 120 days of enactment.

Section 331(c) provides Council members must be eminently recognized in the field of education. The Council must include members who are experts in educational assessment, psychometrics, and curriculum design. Members shall be appointed from among qualified individuals nominated by the public and other interested groups.

Section 331(d) provides Council members are to serve three year terms with a maximum of two consecutive terms once an initial rotation has been established whereby one-third of the Council's members are selected each year. To establish the rotation initial members are to be appointed for the following terms: A) of the public officials, two appointees are to serve two year terms, two are to serve three year terms, and one is to serve a four year term; B) of the educators, two appointees are to serve two year terms, two are to serve three year terms, and one is to serve a four year term; and C) of the general public members, two appointees are to serve two year terms, two are to serve three year terms, and one is to serve a four year term.

Paragraph (3) states Council members may not serve on any other Department of Education advisory board, panel, peer review panel, task force, or as a paid consultant to the Department. Council members may not receive directly or indirectly any Federal funds for curriculum or assessment development or be a member of any organization which does.

Paragraph (5) requires Council members to attend at least two-thirds of scheduled meetings to retain membership.

Paragraph (6) authorizes Council officer selection.

Paragraph (7) provides procedures to be followed in the event of a Council vacancy.

Paragraph (8) authorizes Council members' compensation for travel expenses and a per diem in lieu of subsistence for each day the member is engaged in Council duties and away from their regular place of business.

Paragraph (9) provides the Council may begin action once eight members are appointed.

Section 331(e) requires the Council to be a coordinating body to establish national education content and student performance standards. Provides the Council will serve as a coordinating body to encourage a voluntary system of assessments—which are valid, reliable, and unbiased—for individual students consistent with the national standards.

The Council is to develop criteria for world class content and student performance standards and establish guidelines for standard setting and assessment development. These guidelines are to be established to ensure there are a variety of assessment measures which are comparable, certify world class content and student performance standards and assessments, such standards and assessments are transmitted to the National Goals Panel for Panel certification.

The Council is to also ensure there are guidelines for the use of such standards and assessments which provide all students are challenged, have multiple opportunities to demonstrate competence, and assessed in the contextual terms of aggregate student, school, and school system performance.

Section 331(f) requires the Council to work with Federal and non-Federal agencies or organizations engaged in attempting to develop world class education standards and assessments.

Section 331(g) requires the Council to publish in the Federal Register its proposed and final procedures for carrying out its Congressional mandated functions.

Section 331(h) authorizes the Council to enter agreements with appropriate entities to generate or collect data necessary to carry out its functions.

Section 332 requires the Council each year to submit a report which analyzes the progress and obstacles toward the development and certification of world-class standards and assessments to the President, appropriate Congressional committees, and Nation's Governors. The report is to analyze the progress and obstacles toward the adoption of such standards and assessments by SEAs and LEAs, and their ability to meet said standards.

Section 333 requires the Council to convene open meetings in urban and rural areas to solicit the input of outside interested parties. The Council is authorized to secure from any Federal information agency data necessary to carry out its functions. The Council may accept gifts, and is to receive from the Secretary any administrative support its requests.

Section 334 establishes administrative provisions for the Council. Meetings are to be held on a regular basis, convened at the request of the Chair or a majority of Council members. A majority of members shall constitute a quorum. All actions of the Council require a two-thirds majority vote of the total membership. There are not to be any proxies for voting purposes.

Section 335 provides for the appointment of an experienced Director and staff to the Council. Federal agency heads are authorized to detail to the Council any staff of such agencies as the Council may request. The Council's staff and its Director may not have any direct or indirect financial interest in or assessments.

Section 336 provides the General Accounting Office is to report on the work of the Council to evaluate the process it has undertaken in carrying out its functions and the validity of the Council's resultant action and recommendations.

Section 337 authorizes $2 million to the Council in fiscal years 1993 and 1944, and such sums in each succeeding fiscal year as may be necessary.

Part F—Elementary Science Equipment Program

Section 341 provides this part may be cited as the "Elementary Science Equipment Act."

Section 342 states purpose of this part is to raise the quality of instruction in math and science by providing equipment and materials necessary for hands-on instruction through financial assistance to SEAs and LEAs.

Section 343 authorizes the Secretary to make allotments to SEAs to enable them to award grants to LEAs for purposes stated in Section 342.

Section 344(a) provides not more than one-half of one percent of funds appropriated under this part is to be allotted to Guam, American Samoa, the Virgin Islands, the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau. Not more than one-half of one percent of appropriated funds may be allotted to native American students served by schools funded by the Secretary of the Interior.

Section 344(b) provides one half of remaining appropriated funds (after meeting the requirements of subsection (a)) are to be allotted to SEAs proportionately based on student enrollment. One half of remaining appropriated funds (after meeting the requirements of subsection (a)) are to be allotted to SEAs proportionately based on Chapter I of ESEA allocations. No State shall receive less than one-half of one percent of the amount available under this subsection or less than the amount allotted to such State for fiscal year 1988 under Title II of the Education for Economic Security Act.

Section 344(c) defines the term "State."

Section 345(a) provides for each State to submit an application for funds under this part which will be used for the next five fiscal years.

Section 345(b) requires each State application to provide assurances that: the SEA will only use funds to be made available for the purposes of this program: the SEA will provide such fiscal controls as the Secretary may require; all State LEAs will be eligible to receive funds; funds will supplement, and not supplant, State assistance and will be used in conjunction with said assistance; during the five-year period described in the application, the SEA will evaluate its math and science teacher preparation and development programs; and the needs of low income and rural students will be given priority. Each State must furnish in its application a description of the procedure by which it plans to distribute provided funds to LEAs. States must also submit to the Secretary any LEA applications for funds available under this part.

Section 345(c) provides not more than five percent of State funds allotted under this part may be used for administrative costs.

Section 346(a) provides for each LEA seeking a grant under this part to submit an application to the relevant SEA.

Section 346(b) requires each LEA application to contain several items, including: a description of procedures for distribution of funds among eligible schools should an award be made, an assurance that all due efforts have been made to secure private funds for the purposes of this part, and a description of how available funds will be used in conjunction with other public funds.

Section 346(c) requires SEAs, when distributing available funds, to give priority to LEAs which are seriously underequipped or serve low-income students and have a comprehensive plan for the effective use of such funds.

Section 347 provides private schools may participate.

Section 348 requires SEAs to disseminate information regarding the Elementary Science Equipment Program to LEAs and schools. Available funds may only be used for math and science equipment and materials. Grant funds may not be used for computers or computer related materials. Additionally, grant funds may not be used for capital improvements.

Section 349 requires the Secretary to provide technical assistance to State and local representatives for the purposes of this program. The Secretary is each year to report to Congress on the progress of the Elementary and Science Equipment Program.

Section 350 authorizes $20 million and such sums in fiscal years 1994–1999 for the Elementary and Science Equipment Program.

Part G—Parents as teachers programs

Section 351 states Congressional finding of the positive role of parental involvement in a child's education.

Section 352 states purpose of this part is to strengthen the linkage between parents and schools in enhancing the quality of a child's intellectual development.

Section 353 defines the terms "developmental screening," "eligible family," "lead agency," "parent education," and "parent educator."

Section 354 authorizes the Secretary to award grants to States to establish, expand, or operate parents as teachers programs. Grants are to be provided on a priority basis to States with programs that focus on at-risk youth. Funds are to supplement, not supplant, non-Federal aid for he purposes of this program.

Section 355 requires each State receiving a grant to have parent education and child developmental screening as components of its parents as teachers program. States must hire parent educators with experience in the child care and education, establish group meetings and home visits for participating families, and periodically screen participating children's educational development. Funds may only support children up to age three.

Section 356 provides parents are not required to participate in a parent education program and children are not required to participate in a developmental screening program. Parents participating under this program have autonomy in terms of the education of their children. The rights of privacy of students and parents are to be protected in any data gathering activities conducted under this program.

Section 357 requires the Secretary to establish a national center to assist States establish or operate parents as teachers programs.

Section 358 requires the Secretary to evaluate State programs which receive aid under this part.

Section 359 provides for State application to the Secretary for available funds.

Section 360 provides the Federal share of the cost of such programs is to be 100% in the first two years, 75% in the third year, 50% in the fourth year, and 25% in the fifth year for the years which a State receives assistance under this program. The State share of eligible programs may be assumed through either cash or in-kind assistance.

Section 360A authorizes $10 million and such sums in fiscal years 1994–1999 for this program.

Part H—Media instruction

Section 361 authorizes the Assistant Secretary to enter into a contract with an independent non-profit organization for the establishment of a national multimedia television-based project directed to homes, schools, and after-school programs that is designed to improve the reading and writing abilities of elementary school age children. The contract is to be awarded to an organization with demonstrated experience and expertise in nationwide educational programming. Authorizes $5 million and such sums in fiscal years 1994–1999 for this section.

Part I—Migrant education

Section 365 ensures students who reside in school districts encompassing areas greater than 15,000 square miles and migrate distances of 20 miles or more are treated similarly to students whose families migrate similar distances, but who live in districts significantly smaller.

Part J—History and principles of the Constitution

Section 371 requires the Secretary to carry out a program to educate students about the history and principles of the Constitution and to foster civic competence and responsibility. The program shall continue and expand the activities of the Chief Justice Burger National Historical Map Contest. Public and private elementary and secondary school students may participate. Authorizes $2 million and such sums in fiscal years 1994–1997 for a contract to be awarded to a non-profit educational organization with demonstrated experience in civics education to carry out the functions of the program.

Part K—Classrooms for the future

Section 375 provides this part is to be entitled the "Classrooms for the Future Act of 1992."

Section 376 states the purpose of this part is to expand the utilization of high quality educational technology to raise levels of academic achievement.

Secton 377(a) requires the Secretary to award grants to "eligible consortia" to develop technology-based instructional programs. Grants are only to be awarded for programs or systems which are

commercially unavailable. Defines eligible consortium as SEAs or LEAs in partnership with businesses, higher education institutions, or non-profit organizations.

Section 377(b) requires the Secretary to give special consideration in awarding grants to consortia developing national programs aimed at disadvantaged students.

Section 377(c) provides individual grants are not to exceed a total of $3 million over a three years period.

Section 377(d) requires applications under this program to include a description of how a proposed program is to achievement levels and an assurance that programs will serve a large number of disadvantaged students.

Section 377(e) specifies criteria the Secretary is to consider in awarding grants. These criteria include: innovative usages of educational technology; specified learning objectives and strategies; capacity of technology to be upgraded; flexibility of usage; available teacher training materials; cost; and measured effectiveness of programs.

Section 378 authorizes $25 million and such sums in fiscal years 1994–1997 for this part.

Part L—Buddy system computer education

Section 381 provides this part is to be entitled the "Buddy System Computer Education Act."

Section 382 states the purpose of this part is to develop and expand public-private partnership programs that extend a student's learning experience, via computers, beyond the classroom.

Section 383 requires the Secretary to competitively award three grants to three States to create a computer-based program for students in grades 4 through 6. Preference is to be given to States with proven computer-based programs which serve a large number of disadvantaged students.

Section 384 requires grant recipient States to conduct programs that provide continuous instruction for three year periods, ensure all students have access to such a program within a given class, provide all participating students with computer access in school and at home. A State program may not serve more than seven public elementary schools.

Section 385 provides States have three months to submit to the Secretary an application for grants authorized under this part. Applications are to include an assurance that the SEA applying has made every effort to match on a one-to-one basis all Federal funds received under this part from either public or private sources.

Section 386 requires Federal funds received under this part are to be used to provide computer hardware and software and teacher training in these areas.

Section 387 requires the Secretary to report to Congress on the effectiveness of the program authorized under this part.

Section 388 defines the term "State."

Section 389 authorizes $5 million and such sums in fiscal years 1994–1997.

Part M—Compensation

Section 391 provides * * *

Part N—Star schools

Section 395 states a technical correction to the Star Schools Assistance Act to limit funds for evaluation to no more than $500,000.

TITLE IV—DEFINITIONS

Section 401 defines the terms "elementary school," "field-initiated research," "institution of higher education," "local education agency," "secondary school," "Secretary," and "State education agency" for the purposes of this Act.

VIII. Changes in Existing Law

In compliance with rule XXVI paragraph 12 of the Standing Rules of the Senate, the following provides a print of the statute or the part or section thereof to be amended or replaced (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman)

Department of Education Organization Act

Title I—GENERAL PROVISIONS

FINDINGS

Sec. 101. * * *

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TITLE II—ESTABLISHMENT OF THE DEPARTMENT

ESTABLISHMENT

Sec. 201. * * *

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OFFICE OF EDUCATION TECHNOLOGY

Sec. 216. There shall be in the Office of Educational Research and Improvement described in section 209 an Office of Educational Technology, established in accordance with section 405A of the General Education Provisions Act.

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General Education Provisions Act

SHOT TITLE; APPLICABILITY; DEFINITIONS; APPROPRIATIONS

Sec. 400. * * *

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EXPERTS AND CONSULTANTS

Sec. 402. *(a) In General.*—The Secretary may as provided in appropriation Acts obtain the services of experts and consultants in accordance with the provisions of section 3109 of title 5, United

States Code, and may compensate such experts and consultants at rates not to exceed the daily rate prescribed for GS-18 of the General Schedule under section 5332 of such title.

(b) SPECIAL RULE.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may use not more than 1 percent of the funds appropriated for any education program that awards such funds on a competitive basis to pay the expenses and fees of non-Federal experts necessary to review applications and proposals for such funds.

(2) APPLICABILITY.—The provisions of paragraph (1) shall not apply to any education program under which funds are authorized to be appropriated to pay the fees and expenses of non-Federal experts to review applications and proposals for such funds.

[OFFICE OF EDUCATIONAL RESEARCH AND IMPROVEMENT

[SEC. 405. (a)(1) The Congress declares it to be the policy of the United States to provide to every individual an equal opportunity to receive an education of high quality regardless of race, color, religion, sex, age, handicap, national origin, or social class. Although the American educational system has pursued this objective, it has not attained the objective. Inequalities of opportunity to receive high quality education remain pronounced. To achieve the goal of quality education requires the continued pursuit of knowledge about education through research, improvement activities, data collection, and information dissemination. While the direction of American education remains primarily the responsibility of State and local governments, the Federal Government has a clear responsibility to provide leadership in the conduct and support of scientific inquiry into the educational process.

[(2) The Congress further declares it to be the policy of the United States to—

[(A) promote the quality and equity of American education,

[(B) advance the practice of education as an art, science, and profession;

[(C) support educational research of the highest quality;

[(D) strengthen the educational research and development system;

[(E) improve educational techniques and training;

[(F) assess the national progress of this Nation's schools and educational institutions, particularly special populations; and

[(G) collect, analyze, and disseminate statistics and other data related to education in the United States and other nations.

[(3) For purposes of this section)—

[(A) the term "Assistant Secretary" means the Assistant Secretary for Educational Research and Improvement established by section 202 of the Department of Education Organization Act;

[(B) the term "Council" means the National Advisory Council on Educational Research and Improvement established by subsection (c);

[(C) the term "educational research" includes basic and applied research, development, planning, surveys, assessments, evaluations, investigations, experiments, and demonstrations in the field of education and other fields relating to education;

[(D) the term "Office" means the Office of Educational Research and Improvement established by section 209 of the Department of Education Organization Act; and

[(E) the terms "United States" and "State" include the District of Columbia and the Commonwealth of Puerto Rico.

[(b)(1) It shall be the purpose of the Office to carry out the policies set forth in subsection (a) of this section. The Office shall be administered by the Assistant Secretary and shall include—

[(A) the National Advisory Council on Educational Research and Improvement established in subsection (c);

[(B) the Center for Education Statistics established by section 406; and

[(C) such other units as the Secretary deems appropriate to carry out the purposes of the Office.

[(2) The Office shall, in accordance with the provisions of this section, seek to improve education in the United States through concentrating the resources of the Office on the priority research and development needs described in paragraph (3).

[(3) The needs to which paragraph (2) apply are—

[(A) improving student achievement;

[(B) improving the ability of schools to meet their responsibilities to provide equal educational opportunities for all students, including those with limited English-speaking ability, women, older students, part-time students, minority students, gifted and talented students, handicapped students, and students who are socially, economically, or educationally disadvantaged;

[(C) collecting, analyzing, and disseminating statistics and other data related to education in the United States and other nations;

[(D) improving the dissemination and application of knowledge obtained through educational research and data gathering, particularly to education professionals and policy makers;

[(E) encouraging the study of the sciences, the arts, and the humanities, including foreign languages and cultures;

[(F) improving the data base of information on special populations and their educational status;

[(G) conducting research on adult educational achievement, particularly literacy and illiteracy as it affects employment, crime, health, and human welfare;

[(H) conducting research on postsecondary opportunities, especially access for minorities and women; and

[(I) conducting research on education professionals, especially at the elementary and secondary levels including issues of recruitment, training, retention, and compensation.

[(4) The Secretary shall publish proposed research priorities in the Federal Register every two years, not later than October 1, and shall allow a period of sixty days for public comments and suggestions.

[(c)(1) The Council shall consist of fifteen members appointed by the President, by and with the advice and consent of the Senate. In addition, there shall be such ex officio members who are officers of the United States as the President may designate, including the Assistant Secretary. A majority of the appointed members of the Council shall constitute a quorum. The chairperson of the Council shall be designated by the President from among the appointed members. Ex officio members shall not have a vote on the Council. The members of the Council shall be appointed to ensure that the Council is broadly representative of the general public; the education professions, including practitioners; policymakers and researchers; and the various fields and levels of education.

[(2)(A) Except as provided in subparagraph (B), members shall be appointed to terms of three years.

[(B) Of the members first appointed—

[(i) five shall be appointed for terms of one year;

[(ii) five shall be appointed for terms of two years; and

[(iii) five shall be appointed for terms of three years;

as designated by the President at the time of appointment.

[(C) Any member appointed to fill a vacancy occurring before the expiration of the term for which the predecessor was appointed shall be appointed only for the remainder of such term. A member may serve after the expiration of a term until a successor has taken office.

[(D) An appointed member who has been a member of the Council for six consecutive years shall be ineligible for appointment to the Council during the two-year period following the expiration of the sixth year.

[(3) The Council shall—

[(A) advise the Secretary and the Assistant Secretary on the policies and activities carries out by the Office;

[(B) review and publicly comment on the policies and activities of the Office;

[(C) conduct such activities as may be necessary to fulfill its functions under this subsection;

[(D) prepare such reports to the Secretary on the activities of the Office as are appropriate; and

[(E) submit, no later than March 31 of each year, a report to the President and the Congress on the activities of the Office, and on education, educational research, and data gathering in general.

[(d)(1) In order to carry out the objectives of the Office under this section, the Secretary within the limits of available resources shall—

[(A) conduct educational research;

[(B) collect, analyze, and disseminate the findings of education research;

[(C) train individuals in educational research;

[(D) assist and foster such research, collection, dissemination, and training through grants, cooperative agreements, and technical assistance;

[(E) promote the coordination of educational research and research support within the Federal Government and otherwise assist and foster such research; and

[(F) collect, analyze, and disseminate statistics and other data related to education in the United States and other nations.

[(2)(A) The Secretary may appoint, for terms not to exceed three years (without regard to the provisions of title 5 of the United States Code governing appointment in the competitive service) and may compensate (without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates) such scientific or professional employees of the Office as the Secretary considers necessary to accomplish its functions. The Secretary may also appoint and compensate not more than one-fifth of the number of full-time, regular scientific or professional employees of the Office without regard to such provisions. The rate of basic pay for such employees may not exceed the maximum annual rate of pay for grade GS-15 under section 5332 of title 5 of the United States Code, except that the pay of any employee employed before the date of enactment of the Higher Education Amendments of 1986 shall not be reduced by application of such maximum pay limitation.

[(B) The Secretary may reappoint employees described in subparagraph (A) upon presentation of a clear and convincing justification of need, for one additional term not to exceed three years. All such employees shall work on activities of the Office and shall not be reassigned to other duties outside the Office during their term.

[(C) Individuals who are employed on the date of enactment of this Act and were employed by such Office on April 1, 1986, and who were employed under excepted hiring authority provided by section 209 of the Department of Education Organization Act or this section may continue to be employed for the duration of their current term.

[(3)(A) The Secretary may carry out the activities in paragraph (1)—

[(i) directly;

[(ii) through grants, contracts and cooperative agreements with institutions of higher education, public and private organizations, institutions, agencies, and individuals; and

[(iii) through the provisions of technical assistance.

[(B) When making competitive awards under this subsection, the Secretary shall—

[(i) solicit recommendations and advice regarding research priorities, opportunities, and strategies from qualified experts, such as education professionals and policymakers, personnel of the regional education laboratories and of the research and development centers supported under paragraph (4), and the Council, as well as parents and other members of the general public;

[(ii) employ suitable selection procedures utilizing the procedures and principles of peer review, except where such peer review procedures are clearly inappropriate given such factors as the relatively small amount of a grant or contract or the exigencies of the situation; and

[(iii) determine that the activities assisted will be conducted efficiently, will be of high quality, and will meet priority research and development needs under this section.

[(C) Whenever the Secretary enters into a cooperative agreement under this section, the Secretary shall negotiate any subsequent modifications in the cooperative agreement with all parties to the agreement affected by the modifications.

[(4)(A) In carrying out the functions of the Office, the Secretary shall, in accordance with the provisions of this subsection, support—

[(i) regional educational laboratories established by public agencies or private nonprofit organizations to serve the needs of a specific region of the Nation under the guidance of a regionally representative governing board, the regional agendas of which shall, consistent with the priority research and development needs established by subsection (b) (2) and (3), be determined by the governing boards of such labs;

[(ii) research and development centers established by institutions of higher education, by institutions of higher education in consort with public agencies or private nonprofit organizations, or by interstate agencies established by compact which operate subsidiary bodies established to conduct postsecondary educational research and development;

[(iii) meritorious unsolicited proposals for educational research and related activities that are authorized by this subsection; and

[(iv) proposals that are specifically invited or requested by the Secretary, on a competitive basis, which meet objectives authorized by this subsection.

[(B) Prior to awarding a grant or entering into a contract for a regional educational laboratory or research and development center under subparagraph (A)(i) or (A)(ii), the Secretary shall invite applicants to compete for such laboratories and centers through notice published in the Federal Register.

[(C) Each application for assistance under subparagraph (A)(i) or (ii) as a regional educational laboratory or a research and development center shall contain such information as the Secretary may reasonably require, including assurances that the applicant will—

[(i) be responsible for the conduct of the research and development activities;

[(ii) prepare a long-range plan relating to the conduct of such research and development activities;

[(iii) ensure that information developed as a result of such research and development activities, including new educational methods, practices, techniques, and products, will be appropriately disseminated;

[(iv) provide technical assistance to appropriate educational agencies and institutions; and

[(v) to the extent practicable, provide training for individuals, emphasizing training opportunities for women and members of minority groups, in the use of new educational methods, practices, techniques, and products developed in connection with such activities.

[(D) No grant may be made and no contract entered into for assistance described under subparagraph (A) (i) or (ii) unless—

[(i) proposals for assistance under this subsection are solicited from regional educational laboratories and research and development centers by the Office;

[(ii) proposals for such assistance are developed by the regional educational laboratories and the research and development centers in consultation with the Office; and

[(iii) the Office determines that the proposed activities will be consistent with the education research and development program and dissemination activities which are being conducted by the Office.

[(E) No regional educational laboratory or research and development center receiving assistance under this subsection shall, by reason of the receipt of that assistance, be ineligible to receive any other assistance from the Office authorized by law.

[(F) The Secretary shall make available adequate funds to support meritorious, unsolicited proposals as described under subparagraph (A)(iii), and provide sufficient notice of the availability of such funds to individual researchers in all regions of the country.

[(5) The Secretary, from funds appropriated under this section, may establish and maintain research fellowships in the Office, for scholars, researchers, and statisticians engaged in the collection and dissemination of information about education and educational research. Subject to regulations published by the Secretary, fellowships may include such stipends and allowance, including travel and subsistence expenses provided for under title 5, United States Code, as the Secretary considers appropriate.

[(6) The Secretary may award grants to institutions of higher education, including technical and community colleges as appropriate, to assess the new and emerging specialities and the technologies, academic subjects, and occupational areas requiring vocational education, with emphasis on the unique needs for preparing an adequate supply of vocational teachers of handicapped students. The Secretary shall give special consideration to the preparation required to teach classrooms of handicapped, or other highly targeted groups of students, in combination with other nonhandicapped or other nontargeted students, within the same vocational education setting.

[(e)(1) There are authorized to be appropriated to carry out this section, $72,231,000 for fiscal year 1987 and such sums as may be necessary for each of the four succeeding fiscal years.

[(2) The Secretary may not enter into a contract for the purpose of regional educational laboratories under subsection (d)(3)(A)(i) for a period in excess of five years.

[(3) Not less than 95 per centum of funds appropriated pursuant to this subsection for any fiscal year shall be expended to carry out this section through grants, cooperative agreements, or contracts.

[(4) When more than one Federal agency uses funds to support a single project under this section, the Office may act for all such agencies in administering those funds.

[(f)(1) In each fiscal year for which the total amount appropriated to carry out this section and section 406 of this Act equals or

exceeds the total amount appropriated for fiscal year 1986 to carry out such sections—

[(A) not less than $17,760,000 shall be available in each fiscal year to carry out subsection (d)(4)(A)(ii) of this section (relating to centers);

[(B) not less than $17,000,000 shall be available in each fiscal year to carry out subsection (d)(4)(A)(i) of this section (relating to labs);

[(C) not less than $5,700,000 shall be available in each fiscal year to assist a separate system of 16 education resources information clearinghouses (including direct supporting dissemination services) pursuant to subsection (d)(3)(A) of this section, having the same functions and scope of work as the clearinghouses had on the date of enactment of the Higher Education Amendments of 1986;

[(D) Not less than $9,500,000 for the fiscal year 1989, and such sums as may be necessary for each of the fiscal years 1990 through 1993, shall be available to carry out section 406(i) of this Act (relating to the National Assessment of Education Progress);

[(E) not less than $8,750,000 shall be available in each fiscal year to carry out section 406 of this act, except for subsection (i) of that section, (relating to the Center for Educational Statistics); and

[(F) not less than $500,000 shall be available in each fiscal year to carry out subsection (d)(4)(A)(iii) of this section (relating to field initiated research).

[(2) If the sums appropriated for any fiscal year are less than the amount required to be made available under subparagraphs (A) through (F) of paragraph (1), then each of the amounts required to be made available under such subparagraphs shall be ratably reduced. If additional amounts become available for any such fiscal year, such reduced amounts shall be increased on the same basis as they were reduced.]

SEC. 405. OFFICE OF EDUCATIONAL RESEARCH AND IMPROVEMENT.

(a) PURPOSES; COMPOSITION; DEFINITION.—

(1) PURPOSES.—The purposes of the Office of Educational Research and Improvement are to—

(A) assess, promote, and improve the quality and equity of education in the United States, so that all Americans have an equal opportunity to receive an education of the highest quality;

(B) provide new directions for the federally supported developmental and research activities with a view toward reform in the Nation's schools systems, achieving national education goals and effecting national policy for education;

(C) provide leadership in the scientific inquiry into the educational process;

(D) provide leadership in advancing the practice of education as an art, science, and profession;

(E) collect, analyze, and disseminate statistics and other data related to education in the United States and other nations; and

(F) make available to the Congress and the people of the United States the results of research and development activities in the field of education in order to bring research directly to the classroom to improve educational practice.

(2) COMPOSITION.—

(A) IN GENERAL.—The Office shall be administered by the Assistant Secretary and shall include—

(i) the Distinguished Board of Governors for Educational Research described in subparagraph (B);

(ii) the Directorates for Educational Research described in subsections (c) through (h);

(iii) the regional educational laboratories described in subsection (k);

(iv) the Office of Educational Dissemination described in subsection (m);

(v) the National Education Library described in subsection (o);

(vi) the Education Resources Information Clearinghouses described in subsection (p);

(vii) the National Center for Education Statistics, including the National Assessment of Educational Progress; and

(viii) such other entities as the Assistant Secretary deems appropriate to carry out the purposes of the Office.

(B) DISTINGUISHED BOARD OF GOVERNORS.—

(i) DISTINGUISHED BOARD OF GOVERNORS.—The Distinguished Board of Governors shall consist of 9 members to be appointed by the President, by and with the advice and consent of the Senate, and Assistant Secretary ex officio.

(ii) QUALIFICATIONS.—(I) The persons nominated for appointment as members of the Board shall be nominated solely on the basis of—

(aa) eminence in fields of basic or applied research, or dissemination of such research; or

(bb) established records of distinguished service in educational research and the education professions.

(II) In making nominations under this clause, the President is requested to give due consideration to equitable representation of educational researchers who—

(aa) are women;

(bb) represent minority groups; or

(cc) are classroom teachers with research experience.

(III) The President is requested in the making of nominations of persons for appointment as members, to give due consideration to any recommendations for nomination which may be submitted to the President by the National Academy of Education and the National Academy of Sciences.

(IV) A nominee for membership on the Board, if confirmed, may not serve on any other Department of Edu-

cation advisory board, panel, including peer review panel, or task force, or as a paid consultant of such Department.

(iii) TERM.—(I) The term of office of each member of the Board shall be 6 years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which the member's predecessor was appointed shall be appointed for the remainder of such term. Any person, other than the Assistant Secretary, who has been a member of the Board for 12 consecutive years shall thereafter be ineligible for appointment during the 6-year period following the expiration of such twelfth year.

(II) The members of the Board shall select a Chairperson from among such members.

(III) A majority of the appointed members of the Board shall constitute a quorum.

(IV) The Board shall appoint an Executive Director, and may with the concurrence of a majority of its members, permit the appointment of a staff consisting of not more than 3 professional staff members and clerical staff members as may be necessary and selected by the Board. Such staff shall be appointed by the Assistant Secretary and assigned at the direction of the Board. The professional members of such staff may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive services, and may be paid without regard to the provisions of chapter 51 and subchapter 53 of such title relating to classification and general schedule pay rates.

(iv) RESPONSIBILITIES.—The Board shall provide oversight of the Office, and shall—

(I) advise the Nation on the Federal research and development effort;

(II) recommend ways for strengthening active partnerships among researchers, educational practitioners and policymakers;

(III) recommend ways to strengthen interaction and collaboration between the various program offices and components;

(IV) solicit advice and information from the educational field, to define research needs and suggestions for research topics, and shall involve educational practitioners, particularly teachers, in this process;

(V) provide recommendations for translating research findings into workable, adaptable models for use in policy and in practice across different settings, and recommendations for other forms of dissemination;

(VI) provide recommendations for creating incentives to draw talented young people into the field

of educational research, including scholars from disadvantaged and minority groups;

(VII) provide recommendations for new studies to close gaps in the research base;

(VIII) advise the Assistant Secretary on standards and guidelines for research programs and activities to ensure that research is of high quality and is free from undue partisan or political influence; and

(IX) provide recommendations for coordination and synthesis of research among directorates.

(v) MEETINGS AND REPORTS.—(I) The Board is authorized to appoint from among its members such committees as the Board deems necessary, and to assign to committees so appointed such survey and advisory functions as the Board deems appropriate to assist the Board in exercising its powers and functions under this section.

(II) From amounts appropriated pursuant to subsection (g), the Board shall render to the President, for submission to the Congress no later than January 15 of each even-numbered year, a report on the activities of the Office, and on education, educational research, national indicators and data gathering in general.

(C) DEFINITION.—For the purposes of this section—

(i) the term "Office", unless otherwise specified, means the Office of Educational Research and Improvement established by section 209 of the Department of Education Organization Act;

(ii) the term "Assistant Secretary" means the Assistant Secretary for Educational Research and Improvement established by section 202 of the Department of Education Organization Act;

(iii) the term "Board" means the Distinguished Board of Governors for Educational Research established under paragraph (2)(B);

(iv) the term "education research" includes basic and applied research, inquiry with the purpose of applying tested knowledge gained to specific educational settings and problems, development, planning, surveys, assessments, evaluations, investigations, experiments and demonstrations in the field of education and other fields relating to education;

(v) the term "dissemination" means the transfer of ideas and products developed through research to educational sites where such ideas and products can be developed, adapted, implemented and operated for the purpose of improvement, communication techniques to spread information, and demonstrations of the utility and applicability of research; and

(vi) the term "technical assistance" means assistance in identifying, selecting or designing solutions based on research to address educational problems, planning and design that leads to adapting research knowledge

to school practice, training to implement such solutions, and other assistance necessary to encourage adoption or application of research.

(b) AUTHORIZED ACTIVITIES.—

(1) OFFICE.—In fulfilling its purposes under this section, the Office is authorized to—

(A) conduct and support education-related research and activities, including basic and applied research, development, planning, surveys, assessments, evaluations, investigations, experiments and demonstrations of national significance;

(B) disseminate the findings of education research, and provide technical assistance to apply such information to specific school problems at the school site;

(C) collect, analyze and disseminate data related to education;

(D) promote the use of knowledge gained from research and statistical findings in schools, other educational institutions and communities;

(E) train individuals in education research; and

(F) promote the coordination of education research and research support within the Federal Government, and otherwise assist and foster such research.

(2) ASSISTANT SECRETARY.—

(A) IN GENERAL.—In carrying out the activities and programs of the Office, the Assistant Secretary shall—

(i) ensure that there is broad and regular public and professional involvement from the educational field in the planning and carrying out of the Office's activities, including establishing teacher advisory boards for any program office, program or project of the Office as the Assistant Secretary deems necessary;

(ii) ensure that the selection of research topics and the administration of the program are free from undue partisan or political influence;

(iii) enter into a contract for the conduct of an independent evaluation of programs and activities carried out through the Office to—

(I) advise the President, the Congress and the Nation on—

(aa) the effectiveness of the programs of the Office; and

(bb) the implementation of projects and programs funded through the Office over time;

(II) measure the success of educational information dissemination;

(III) evaluate the impact of educational research on instruction at the school level;

(IV) assess the usefulness of research and activities carried out by the Office, including products disseminated by the Office;

(V) evaluate the ability of the Office to keep research funding free from undue partisan or political interference; and

(VI) provide recommendations for improvement of the programs of the Office;

(iv) have direct authority to make grants and contracts pursuant to the programs and activities of the Office;

(v) develop directly, or through grant or contract, standards and guidelines for research, programs and activities carried out through the Office;

(vi) establish a long- and short-term research agenda in consultation with the Board; and

(vii) review research priorities established within each directorate and promote research syntheses across the directorates.

(B) INFORMATION AND TECHNICAL ASSISTANCE.—The Assistant Secretary, through the directorates and regional educational laboratories assisted under this section and other appropriate entities, is authorized to offer information and technical assistance to State and local educational agencies, school boards and schools to ensure that no student is—

(i) denied access to the same rigorous, challenging curriculum that such student's peers are offered; and

(ii) grouped or otherwise labeled in such a way that may impede such student's achievement.

(C) LONG-TERM AGENDA.—One year after the date of enactment of the Office of Educational Research and Improvement Reauthorization Act, the Assistant Secretary shall submit a report to the President and to the Congress on a six-year long-term plan for the educational research agenda for the Office. Upon submission of such report and every 2 years thereafter, the Assistant Secretary shall submit to the President and to the Congress a progress report on the six-year plan, including an assessment of the success or failure of meeting the components of the six-year plan, proposed modifications or changes to the six-year plan, and additions to the six-year plan.

(3) OPEN COMPETITION.—All grant contracts and cooperative agreements awarded or entered into pursuant to this section shall be awarded or entered into through a process of open competition that shall be announced in the Federal Register.

(c) DIRECTORATES OF EDUCATIONAL RESEARCH.—

(1) IN GENERAL.—(A) In carrying out the functions of the Office, the Assistant Secretary shall establish 5 directorates of educational research in accordance with this section.

(B) The Assistant Secretary shall appoint a Director for each directorate. Each such Director shall be a leading professional in the field relevant to the mission of the directorate. Each such Director shall be paid at the rate of pay payable for level IV of the Executive Schedule.

(C) The Assistant Secretary shall provide for and promote research syntheses across the directorates, and shall coordinate research plans, projects and findings across the directorates. Each Director shall report directly to the Assistant Secretary, regard-

ing the activities of the directorate, and shall work together to promote research syntheses across the directorates.

(2) DUTIES.—Each such directorate shall—

(A) carry out its activities directly or through grants, contracts, and cooperative agreements with institutions of higher education, public and private organizations, institutions, agencies and individuals, or a consortia thereof;

(B) conduct the highest quality basic and applied research in early childhood, elementary and secondary, vocational and higher education which is relevant to the directorate;

(C) serve as a national database on model and demonstration programs which have particular application to the activities of the directorate, particularly with respect to model programs conducted by business, private and nonprofit organizations and foundations, Essential Schools, Accelerated Schools, New American Schools, charter schools, Comer schools and Schools of the 21st Century;

(D) support, plan, implement and operate dissemination activities designed to bring to most effective research directly into classroom practice, school organization and management, and teacher preparation and training, and to the extent possible carry out dissemination activities through the use of technology in accordance with such directorate's technology agreement described in section 405A(d)(1);

(E) support and provide research information that leads to policy formation for State legislatures, State and local boards of education and other policy and governing bodies, to assist such entities in identifying and developing effective policies to promote student achievement and school improvements; and

(F) coordinate the directorate's activities with the activities of the regional educational laboratories established pursuant to subsection (k) in designating the directorate's research agenda and projects in order to increase the responsiveness of such directorate to the needs of teachers and the educational field and to bring research findings directly into schools to ensure greatest access at the local level to the latest research developments.

(3) RESERVATIONS.—(A) Each directorate shall reserve in each fiscal year not less than 15 percent of the amount available to such directorate to conduct field-initiated research.

(B) Each directorate shall reserve not less than one-third of the amount available to such directorate to award a grant or enter into a contract or cooperative agreement with an institution of higher education, a public agency or a private nonprofit organization for the support of one or two long-term national research centers for educational research and development in accordance with paragraph (4).

(4) NATIONAL RESEARCH CENTERS.—

(A) DURATION.—The grant, contract, or cooperative agreements awarded or entered into to establish a national research center described in paragraph (3)(B) shall be awarded or entered into for a period of 10 years.

(B) LOCATION.—Each such center shall be located at a single site with a majority of the staff located at such site.

(C) STAFF.—The Assistant Secretary shall make available adequate funds for each such center to support a long-term research agenda of sufficient scope and allow a staff of sufficient size and quality to be recruited and hired to support such an agenda.

(5) REVIEW AND MONITORING.—The Board shall evaluate and provide recommendations regarding the quality of research conducted through each directorate, the relevance of the research topics and the effectiveness of the dissemination of each directorate's activities. The Board shall report such recommendations to the President and the Congress.

(6) PUBLICATION.—The Assistant Secretary shall publish proposed research priorities developed by each directorate in the Federal Register every 2 years, not later than October 1 of each year, and shall allow a period of 60 days for public comments and suggestions.

(7) COMPETITION.—Prior to awarding a grant or entering into a contract for a research project or center, the Assistant Secretary shall invite applicants to compete for projects, centers or assistance under this section through notice published in the Federal Register.

(8) REPORTING AND COORDINATION.—Each Director shall report directly to the Assistant Secretary, regarding the activities of the directorate, and shall work together to promote research syntheses across the directorates.

(d) NATIONAL DIRECTORATE ON CURRICULUM, INSTRUCTION, AND ASSESSMENT.—The Assistant Secretary shall establish and carry out the National Directorate on Curriculum, Instruction and Assessment. The directorate established under this subsection is authorized to conduct research on—

(1) methods to improve student knowledge at all levels in English, mathematics, science, history, geography, civics and government, foreign languages, arts and humanities and economics;

(2) methods to improve the process of reading, the craft of writing and the growth of reasoning skills;

(3) enabling students to develop higher order thinking skills;

(4) methods to teach effectively all students in mixed-ability classrooms;

(5) developing or identifying new educational assessments, including performance-based and portfolio assessments which demonstrate a command of knowledge and skill;

(6) developing standards for what students should know and be able to do, particularly standards of desired performance set at internationally competitive levels;

(7) the use of testing in the classroom and its impact on improving student achievement, including an analysis of how testing affects what is taught;

(8) test bias as such bias affects historically underserved and minority populations;

(9) research on test security, accountability, validity, reliability and objectivity;

(10) relevant teacher training and instruction in giving a test, scoring a test and in the use of test results to improve student achievement;

(11) curriculum development designed to meet national standards, including assistance to States to develop such curriculum; and

(12) the use of technology in accordance with such directorates technology agreement described in section 405A(d)(1) as a learning tool and as such technology is used in testing.

(e) NATIONAL DIRECTORATE ON EARLY CHILDHOOD LEARNING, FAMILIES AND COMMUNITIES.—The Assistant Secretary shall establish and carry out the National Directorate on Early Childhood Learning, Families and Communities. The directorate established under this subsection is authorized to conduct research on—

(1) effective learning methods and curriculum for early childhood learning;

(2) the importance of family literacy and parental involvement in student learning;

(3) the impact that outside influences have on learning, including television, and drug and alcohol abuse;

(4) methods for integrating learning in settings other than the classroom, such as within families and communities, with a special emphasis on character development and the value of hard work;

(5) teacher training on early childhood education and family literacy;

(6) research on readiness to learn, including topics such as prenatal care, nutrition and health services;

(7) the use of technology in accordance with such directorate's technology agreement described in section 405A(d)(1) to enhance effective learning methods for early childhood learning; and

(8) other topics relevant to the mission of the directorate.

(f) NATIONAL DIRECTORATE ON THE EDUCATIONAL ACHIEVEMENT OF HISTORICALLY UNDERSERVED POPULATIONS.—The Assistant Secretary shall establish and operate a National Directorate on the Educational Achievement of Historically Underserved Populations. The directorate established under this subsection shall conduct research on—

(1) the quality of educational opportunities afforded historically underserved populations, including minority students, students with disabilities, the economically disadvantaged, girls, women, limited-English proficient students and economically disadvantaged students, and particularly the quality of educational opportunities afforded such populations in highly concentrated urban areas and sparsely populated rural areas;

(2) effective institutional practices for expanding opportunities for such groups;

(3) methods for overcoming the barriers to learning which may impede student achievement;

(4) innovative teacher training on methods to improve the educational achievement of the historically underserved;

(5) the use of technology in accordance with such directorate's technology agreement described in section 405A(d)(1) to improve

the educational achievement of the historically underserved; and

(6) other topics relevant to the mission of the directorate.

(g) NATIONAL DIRECTORATE ON SCHOOL ORGANIZATION, STRUCTURE AND FINANCE.—The Assistant Secretary shall establish and operate a National Directorate on School Organization, Structure and Finance. The directorate established under this subsection is authorized to conduct research on—

(1) school-based management, shared decision-making and other innovative school structures which show promise for improving student achievement;

(2) innovative school design, including lengthening the school day and the school year, reducing class size and building professional development into the weekly school schedule;

(3) the social organization of schooling and the inner-workings of schooling;

(4) effective approaches to organizing learning;

(5) effective ways of grouping students for learning so that a student is not labeled or stigmatized in ways that may impede such student's achievement;

(6) the amount of dollars allocated for education that are actually spent on direct learning;

(7) disparity in school financing among States and school districts;

(8) the use of technology in accordance with such directorate's technology agreement described in section 405A(d)(1) to assist in school-based management and to ameliorate the effects of disparity in school financing among States and school districts; and

(9) other topics relevant to the mission of the directorate.

(h) NATIONAL DIRECTORATE ON POSTSECONDARY AND ADULT EDUCATION.—The Assistant Secretary is authorized to establish and operate a National Directorate on Postsecondary and Adult Education. The directorate established under this subsection is authorized to conduct research on—

(1) the most effective training methods for adults to upgrade education and vocational skills;

(2) opportunities for adults to continue their education beyond higher education and graduate school, in the context of lifelong learning;

(3) adult literacy and effective methods, including technology to eliminate illiteracy;

(4) preparing students for a lifetime of work, the ability to adapt through retraining to the changing needs of the work force and the ability to learn new tasks;

(5) disparity in school financing among States and school districts;

(6) the use of technology in accordance with such directorate's technology agreement described in section 405A(d)(1) to develop and deliver effective training methods for adults to upgrade their education and vocational skills; and

(7) other topics relevant to the mission of the directorate.

(i) PERSONNEL.—

(1) IN GENERAL.—From amounts appropriated pursuant to the authority of subsection (q), the Assistant Secretary may appoint, for terms not to exceed 3 years (without regard to the provisions of title 5 of the United States Code governing appointment in the competitive service) and may compensate (without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates) such scientific or professional employees of the Office as the Assistant Secretary considers necessary to accomplish its functions. The Assistant Secretary may also appoint and compensate not more than one-fifth of the number of full-time, regular scientific or professional employees of the Office without regard to such provisions. The rate of basic pay for such employees may not exceed the maximum annual rate of pay for grade GS–15 under section 5332 of title 5 of the United States Code.

(2) REAPPOINTMENT.—The Assistant Secretary may reappoint employees described in paragraph (1) upon presentation of a clear and convincing justification of need, for 1 additional term not to exceed 3 years. All such employees shall work on activities of the office and shall not be reassigned to other duties outside the Office during their term.

(j) SKELTON PROCEDURES AND FELLOWSHIPS.—

(1) SELECTION PROCEDURES.—(A) When making competitive awards under this section, the Assistant Secretary shall—

(i) solicit recommendations and advice regarding research priorities, opportunities, and strategies from qualified experts, such as education professionals and policymakers, personnel of the regional educational laboratories described in subsection (k) and of the research and development centers assisted under this section, and the Board, as well as parents and other members of the general public;

(ii) employ suitable selection procedures utilizing the procedures and principles of peer review, except where such peer review procedures are clearly inappropriate given such factors as the relatively small amount of a grant or contract or the exigencies of the situation; and

(iii) determine that the activities assisted will be conducted efficiently, will be of high quality, and will meet priority research and development needs under this section.

(B) Whenever the Assistant Secretary enters into a cooperative agreement under this section, the Assistant Secretary shall negotiate any subsequent modifications in the cooperative agreement with all parties to the agreement affected by the modifications.

(2) FELLOWSHIPS.—(A) The Assistant Secretary shall publish proposed research priorities for the awarding of research fellowships under this paragraph in the Federal Register every 2 years, not later than October 1 of each year, and shall allow a period of 60 days for public comments and suggestions.

(B) Prior to awarding a fellowship under this paragraph, the assistant Secretary shall invite applicants to compete for such fellowships through notice published in the Federal Register.

(C) From amounts appropriated pursuant to the authority of subsection (q), the Assistant Secretary may establish and maintain research fellowships in the Office, for scholars, researchers, policymakers, education practitioners and statisticians engaged in the use, collection and dissemination of information about education and educational research. Subject to regulations published by the Assistant Secretary, fellowships may include such stipends and allowances, including travel and subsistence expenses provided under title 5, United States Code, as the Assistant Secretary considers appropriate.

(k) REGIONAL EDUCATIONAL LABORATORIES FOR RESEARCH AND DISSEMINATION.—

(1) IN GENERAL.—The Assistant Secretary shall support at least 10 but not more than 15 regional educational laboratories established by public agencies or private nonprofit organizations.

(2) DEFINITION.—For purposes of this subsection, the term "regional educational laboratory" means a public agency or institution or a private nonprofit organization which—

(A) serves the education improvement needs in a geographic region of the United States; and

(B) operates under the direction of a governing board, the members of which—

(i) are representatives of that region;

(ii) include teachers; and

(iii) have sole authority for determining, subject to the requirements of this section, the mission of such laboratory.

(3) DUTIES.—Each regional educational laboratory shall—

(A) serve the educational improvement needs of the region by bringing educational research to bear upon promoting school improvement and academic achievement and on correcting educational deficiencies;

(B) develop a plan for identifying needs and for serving the needs of the region by conducting a continuing survey of the educational needs, strengths and weaknesses within the region, including a process of open hearings to solicit the views of schools, teachers, administrators, parents, local educational agencies, and State educational agencies within the region;

(C) have as such laboratory's central mission the dissemination of educational research to schools, teachers, local educational agencies and State educational agencies, and through such dissemination and the provision of technical assistance, serve the educational needs of the region;

(D) use applied educational research to assist in solving site-specific problems and to assist in development activities;

(E) conduct applied research projects designed to serve the particular needs of the region only in the event that such quality applied research does not exist in such region;

(F) facilitate school restructuring at the individual school level, including technical assistance for adapting model demonstration grant programs to each school;

(G) facilitate communication between educational experts, school officials, and teachers and parents to enable such individuals to assist schools to develop a plan to meet the national education goals;

(H) facilitate communication among program offices, programs and projects of the Office;

(I) bring teams of experts together to develop and implement school improvement plans and strategies;

(J) provide technical assistance to State and local educational agencies, school boards, State boards of education and schools in accordance with the prioritization described in paragraph (4)(E);

(K) establish an open hearing process for schools, teachers, parents and educational organizations to identify particular educational needs within the region;

(L) provide training in the field of education research and related areas, in the use of new educational methods, practices, techniques and products developed in connection with such activities, for which the regional educational laboratory shall be authorized to support internships and fellowships and to provide stipends;

(M) coordinate such laboratory's activities with the directorates assisted under this section in designing such laboratory's services and projects in order to—

(i) maximize the use of research conducted through the directorates in the work of such laboratory;

(ii) keep the directorates apprised of the work of the regional educational laboratories in the field; and

(iii) inform the directorates about additional research needs identified in the field; and

(N) collaborate with the State educational agencies in the region in developing the plan for serving the region.

(4) GOVERNING BOARD.—In carrying out the activities described in paragraph (3), the governing board described in subparagraph (B) of paragraph (20 of each region shall—

(A) ensure that the regional educational laboratory attains and maintains a high level of quality in its work and products;

(B) establish standards to ensure that the regional educational laboratory has strong and effective governance, organization, management, and administration and employs qualified staff;

(C) encourage the regional educational laboratory to carry out such laboratory's duties in such a manner as will make progress toward achieving the national education goals;

(D) conduct a continuing survey of the educational needs, strengths and weaknesses within the region, including a process of open hearings to solicit the views of schools and teachers; and

(E) prioritize, and ensure that the regional educational laboratory serves the needs within the region based upon economic disadvantage in urban and rural areas of such region.

(5) COMPETITION.—(A) Prior to entering into a contract under this subsection, the Assistant Secretary shall invite applicants to compete for such regional educational laboratory through notice published in the Federal Register or Commerce Business Daily.

(B) Each application for assistance under this subsection shall contain such information as the Assistant Secretary may reasonably require, including assurances that the regional educational laboratory will address the activities described in paragraph (3).

(C) No contract shall be entered into for assistance under this subsection unless—

(i) proposals for assistance are solicited from regional educational laboratories by the Office;

(ii) proposals for assistance are developed by the regional educational laboratories in consultation with the Office; and

(iii) the Office determines that the proposed activities will be consistent with the education research and development program and dissemination activities which are being conducted by the Office.

(6) ADDITIONAL PROJECTS.—In addition to activities described in paragraph (3), the Assistant Secretary, from amounts appropriated pursuant to subsection (q)(3), is authorized to enter into agreements with a regional educational laboratory for the purpose of carrying out additional projects to enable such regional educational laboratory to assist in efforts to achieve the national education goals.

(7) SPECIAL RULE.—No regional educational laboratory shall by reason of receipt of assistance under this section be ineligible to receive any other assistance from the Office authorized by law.

(8) PLAN.—Not later than July 1 of each year, each regional educational laboratory shall submit to the Assistant Secretary a plan covering the succeeding fiscal year, in which such laboratory's mission, activities and scope of work are described, including a general description of—

(A) the plans such laboratory expects to submit in the 4 succeeding years; and

(B) an assessment of how well such laboratory is meeting the needs of the region.

(9) CONTRACT DURATION.—The Assistant Secretary shall enter into a contract for the purpose of supporting a regional educational laboratory under this subsection for a minimum of 5 years.

(10) CONSTRUCTION.—Nothing in this subsection shall be construed to require any modifications in the regional educational laboratory contracts in effect on the date of enactment of the Office of Educational Research and Improvement Reauthorization Act.

(l) TEACHER RESEARCH DISSEMINATION NETWORK.—

(1) FINDINGS.—The Congress finds that—

(A) education research, including research funded by the Office, is not having the impact on the Nation's schools that such research should;

(B) relevant education research and resulting solutions are not being adequately disseminated to the teachers that need such research and solutions;

(C) there are not enough linkages between the research and development centers assisted under this section, the regional educational laboratories described in subsection (k), the National Diffusion Network State facilitators, the Education Resources Information Clearinghouses, and the public schools to ensure that research on effective practice is disseminated and technical assistance provided to all teachers;

(D) the average teacher has almost no time to plan or engage in a professional dialogue with such teacher's peers about strategies for improving learning;

(E) teachers do not have direct access to information systems or networks;

(F) teachers have little control over what in-service education teachers will be offered; and

(G) individual teachers are not encouraged to move beyond the walls of their school buildings to identify and use outside resources.

(2) PROGRAM AUTHORIZED.—

(A) IN GENERAL.—The Assistant Secretary is authorized to award grants to or enter into contracts with regional educational laboratories to enable such laboratories to carry out the activities described in paragraph (3) for not more than 250 teacher participants in any fiscal year.

(B) AWARD BASIS.—

(i) IN GENERAL.—The Assistant Secretary shall award grants and enter into contracts under this subsection in an equitable manner and shall provide assistance on the basis of the number of teachers, schools and students located in each region.

(ii) SPECIAL RULES.—In the case where one or more regional laboratories fail to submit a plan acceptable to the Secretary in accordance with paragraph (3)(D)(ii)(I), the Assistant Secretary may—

(I) enter into a grant or contract with a regional laboratory to serve more than one region; or

(II) redistribute funds appropriated to carry out this subsection among regional educational laboratories receiving assistance under this subsection.

(C) DURATION.—Grants or contracts under this subsection shall be awarded for a period of 3 years.

(3) PROGRAM ACTIVITIES.—

(A) MANDATORY.—

(i) IN GENERAL.—(I) Each regional educational laboratory receiving a grant or entering into a contract under this subsection shall carry out 3 one-year-long programs of providing training to teachers relevant to

the needs and problems of the schools and school districts in which teachers teach for the purpose of—

(aa) educating such teacher on how to acquire information about education research findings and best practices and about using the educational infrastructure assisted by the Department of Education and other major educational research organizations; and

(bb) providing such teacher with current education research and development theory and practice.

(II) Teachers that participate in training assisted under this subsection shall be known as "teacher research dissemination experts".

(ii) SUMMER TRAINING.—The program described in clause (i) shall provide teachers with training during the summer which shall—

(I) give teachers knowledge and guidance in using the existing educational improvement services and resources funded by the Department of Education, including the products and work of the regional educational laboratories and the National Diffusion Network, the available reports and work underway in the centers and directorates assisted under this section, the information and access strategies for using the Education Resources Information Clearinghouses and other relevant information centers, and the products and services offered directly from the Department of Education;

(II) certify participating teachers in a small number, such as 3 to 4, of products or programs developed by the regional educational laboratories, the National Diffusion Network, the national research centers, or the directorates of the Office, that the teachers judge most relevant to the needs of their district; and

(III) inform participating teachers about government programs, including programs in government agencies other than the Department of Education, which offer research opportunities and funding.

(iii) SCHOOL YEAR ACTIVITIES.—The program described in clause (i)—

(I) shall provide teachers participating in such program during the school year with—

(aa) opportunities to meet with other such teachers to exchange experiences;

(bb) additional training or assistance in using or applying the information provided during the summer trainir, as needed or requested; and

(cc) updates in education research, information and findings;

(II) shall provide such teachers during the school year with the opportunity to provide feedback into the educational research infrastructure regarding

needed research and ways to improve the dissemination of information; and

(III) may make use of video conferences for some of the training to reduce travel time and expenses.

(B) PERMISSIVE.—If the amount appropriated pursuant to subsection (q)(4) is greater than $30,000,000, then—

(i) first, the number of teachers which each teacher research dissemination expert is expected to reach, as defined in subsection (l)(5)(B)(iii), may be decreased as appropriate; after which

(ii) the program described in clause (i) of subparagraph (A) may include additional teacher training activities and teacher responsibilities related to such training, including—

(I) training in applied research methodologies;

(II) assistance in conducting applied research;

(III) teacher research sabbaticals;

(IV) training in assessment and testing;

(V) training in developing and implementing effective teacher in-service training;

(VI) training in change management, including strategies for restructuring schools, building local capacity, and generally strengthening the culture of schools so that the culture of school is conductive and supportive of change, including training in interpersonal and leadership skills; and

(VII) developing strategies that could be used to restructure the school day to allow more time for planning and teacher collaboration.

(C) TEACHER RESPONSIBILITIES.—Each teacher participating in a program assisted under this subsection shall, during the school year—

(i) meet with other teachers in the school district of such participating teacher to provide such other teachers with information about how to acquire information regarding education research findings and best practices, including what resources are available to such other teachers from the Department of Education, how to obtain products and technical services from the Department, and how to submit programs and products to the National Diffusion Network;

(ii) help interested schools identify resources needed to address the school's needs and act as liaison between the schools and the appropriate resource bodies, such as regional educational laboratories, centers or directorates assisted under this section, the National Diffusion Network, universities, experts, scholars, consultants and other schools and school districts that may be of assistance;

(iii) teach other teachers how to use the products or programs in which the teacher was certified pursuant to subclause (II) of subparagraph (A)(ii);

(iv) inform teachers about how teachers can obtain Federal research funding, fellowships, and sabbaticals; and

(v) survey teacher needs in the areas of research and development.

(D) APPLICATION.—

(i) IN GENERAL—Each regional educational laboratory desiring a grant or contract under this subsection shall submit to the Secretary an application at such time, in such manner and accompanied by such information as the Assistant Secretary may reasonably require.

(ii) CONTENTS—Each application described in clause (i) shall—

(I) contain a plan acceptable to the Assistant Secretary for conducting the program to be assisted under this subsection;

(II) contain assurances that the regional educational laboratory shall provide each participating teacher with a stipend for the entire summer recess in an amount approximately equal to one-third of such teacher's annual salary and travel expenses, in order to permit a teacher to participate in the training program during the summer without incurring a loss of income;

(III) contain assurances that each teacher participating in the program shall receive an award of not more than $10,000 to be used by such teacher during the school year of such teacher's participation to purchase materials, support and coordinate such teacher's teaching activities with other teachers in the school district, and to participate in the program;

(IV) contain assurances that such regional educational laboratory shall provide not more than $5,000 to each school district or group of school districts having an individual from such district or districts participate in the program assisted under this section for each of the 2 years following such participation to enable such school district or districts to continue efforts to improve dissemination of effective practices and programs within the district or districts;

(V) contain assurances that representatives of State educational agencies, intermediate educational agencies, teacher centers, teacher educators at institutions of higher education, and school district in-service or curriculum specialist will be eligible to participate in the program assisted under this section if such individuals pay the cost of their participation;

(VI) describe how such regional educational laboratory will—

(aa) provide and coordinate its training program with the staffs of the Office, the National Diffusion Network, the centers and directorates assisted under this section, and other regional educational laboratory; and

(bb) develop training and resource materials and develop teacher conferences jointly with the entities described in item (aa); and

(VII) contain an assurance that such regional educational laboratory shall not permit a teacher to participate in the program unless such laboratory determines that the teacher will be afforded a full opportunity by the district to perform such teacher's responsibilities described in subparagraph (3)(C).

(5) TEACHER SELECTION AND ELIGIBILITY.—

(A) NOMINATION.—Teacher participants in the program assisted under this subsection shall be nominated by their peers at the school district level or by a group of school districts in the case of small school districts.

(B) ELIGIBILITY.—Each school district or group of school districts desiring to have teachers from such district or districts participate in the program assisted under this subsection shall provide the Assistant Secretary with—

(i) the names of such teachers;

(ii) an indication of the types of issues or problems on which each such teacher would like to receive information and training;

(iii) assurances that teacher research dissemination experts will have access during the school year to approximately 1,000 teachers to train; and

(iv) assurances that such district or districts will pay the teacher's salary during the school year and release the teacher from such teacher's regular teaching duties for not more than 1 school year as necessary to enable such teacher to participate in such program.

(C) SELECTION.—Teachers participants shall be selected by the regional educational laboratories in consultation with the National Diffusion Network State facilitators and State educational agencies in the region. Teacher participants shall be selected in such a manner so as to ensure an equitable representation of such teachers by State and school enrollment in the region.

(6) INDEPENDENT EVALUATION.—

(A) IN GENERAL.—The Assistant Secretary shall provide for an independent evaluation of the program assisted under this subsection to determine the net impact and cost effectiveness of the program and the reactions of teachers and school districts participating in such program, including any career plan changes of participating teachers.

(B) DATE.—The evaluation described in subparagraph (A) shall be submitted to the Congress on or before September 1, 1996.

(C) FUNDING.—The Assistant Secretary may reserve not more than $1,000,000 of the amount appropriated pursuant to the authority of subsection (q)(4) to carry out the evaluation described in this paragraph.

(7) DEFINITION.—For the purpose of this subsection—

(A) the term "educational research infrastructure" means all program offices and components of the Office; and

(B) the term "regional educational laboratory" means a laboratory supported by the Assistant Secretary pursuant to subsection (k).

(m) OFFICE OF EDUCATIONAL DISSEMINATION.—

(1) IN GENERAL. The Assistant Secretary shall establish an Office of Educational Dissemination, which may include the Education Resources Information Clearinghouses, the National Diffusion Network, and the National Education Library. The Office of Educational Dissemination shall be headed by a Director appointed by the Assistant Secretary, who has a demonstrated expertise and experience in dissemination.

(2) DUTIES.—In carrying out its dissemination activities, the Office of Educational Dissemination shall—

(A) operate a depository for all Department of Education publications and products and make available for reproduction such publications and products;

(B) coordinate and oversee the dissemination efforts of all Office of Educational Research and Improvement program offices, the regional educational laboratories, the directorates assisted under this section, the National Diffusion Network, and the Education Resources Information Clearinghouses;

(C) disseminate relevant and useful research, information, products and publications developed through or supported by the Department of Education to all schools throughout the Nation;

(D) develop the capacity to connect schools and teachers seeking information with the relevant regional educational laboratories assisted under this section, the National Diffusion Network, the directorates assisted under this section, the Education Resources Information Clearinghouses, and Teacher Research Dissemination Network contacts; and

(E) provide an annual report to the Secretary regarding the types of information, products and services that teachers, schools and school districts have requested and have determined to be most useful, and describe future plans to adapt Department of Education products and services to address the needs of the users of such information, products and services.

(3) ADDITIONAL ACTIVITIES.—In addition, the Office of Educational Dissemination may—

(A) use media and other educational technology to carry out dissemination activities, including program development;

(B) establish and maintain a database on all research and improvement efforts funded through the Department of Education;

(C) actively encourage cooperative publishing of significant publications;

(D) disseminate information on successful models and educational methods which have been recommended to the Office of Educational Dissemination by educators, educational organizations, nonprofit organizations, business and foundations, and disseminate such models by including with any such information an identification of the organization or organizations that have recommended the program; and

(E) engage in such other dissemination activities as the Assistant Secretary determines necessary.

(n) NATIONAL DIFFUSION NETWORK STATE FACILITATORS.—The National Diffusion Network described in section 1562 of the Elementary and Secondary Education Act of 1965 is authorized to provide information through National Diffusion Network State facilitators on model or demonstration projects funded by the Department of Education. For purposes of carrying out this paragraph, information on such model projects does not have to be approved through the program effectiveness panel, but may be provided directly through the State facilitators. In addition, the National Diffusion Network may disseminate other information available through the Office of Educational Dissemination established under subsection (m) through the National Diffusion Network.

(o) NATIONAL EDUCATION LIBRARY.—

(1) ESTABLISHMENT.—There shall be established a National Library of Education at the Department of Education (hereafter in this subsection referred to as the "Library" which shall—

(A) be a national resource center for teachers, scholars, State and local education officials, parents, and other interested individuals; and

(B) provide resources to assist in the—

(i) advancement of research on education;

(ii) dissemination and exchange of scientific and other information important to the improvement of education at all levels; and

(iii) improvement of educational achievement.

(2) MISSION.—The mission of the Library shall be to—

(A) become a principal center for the collection, preservation, and effective utilization of the research and other information related to education and to the improvement of educational achievement;

(B) strive to assure widespread access to the Library's facilities and materials, coverage of all education issues and subjects, and quality control;

(C) have an expert library staff; and

(D) use modern information technology that holds the potential to link major libraries and educational centers across the United States into a network of national education resources.

(3) FUNCTIONS. The Library shall—

(A) establish a coherent policy to acquire and preserve books, periodicals, data, prints, films, recordings, and other library materials related to education;

(B) organize the materials by appropriate cataloging, indexing, and bibliographic listings;

(C) establish a policy to disseminate information about the materials available in the Library;

(D) make available through loans, photographic or other copying procedures, or otherwise, such materials in the Library as the Secretary deems appropriate; and

(E) provide reference and research assistance.

(4) TASK FORCE.—(A) The Secretary shall appoint a task force of librarians, scholars, teachers, parents, and school leaders (hereafter in this paragraph referred to as the "Task Force") to provide advice on the establishment of the Library.

(B) The Task Force shall prepare a workable plan to establish the Library and to implement the requirements of this subsection.

(C) The Task Force may identify other activities and functions for the Library to carry out, except that such functions shall not be carried out until the Library is established and has implemented the requirements of this subsection.

(D) The Task Force shall prepare and submit to the Secretary not later than 6 months after the first meeting of the Task Force a report on the activities of the Library.

(5) LIBRARIAN.—(A) The Secretary shall appoint a librarian to head the Library.

(B) The individual appointed pursuant to subparagraph (A) shall have extensive experience as a librarian.

(C) The Secretary shall solicit nominations from individuals and organizations before making the appointment described in subparagraph (A).

(D) The librarian shall serve for a 5-year term, which may be renewed.

(E) The librarian shall be paid at not less than the minimum rate of pay payable for level GS-15 of the General Schedule.

(p) EDUCATION RESOURCES INFORMATION CLEARINGHOUSES.—The Assistant Secretary shall establish and support 16 Education Resources Information Clearinghouses (including directly supporting dissemination services) having the same functions and scope of work as such clearinghouses had on the date of enactment of the Higher Education Amendments of 1986, except that the Assistant Secretary shall establish for the clearinghouses a coherent policy for the abstracting and inclusion in the educational resources information clearinghouse system of books, periodicals, reports, and other materials related to education.

(q) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—(A)(i) There are authorized to be appropriated $70,000,000 for fiscal year 1993 and such sums as may be necessary for each of the fiscal years 1994 through 1999 to carry out subsection (c) relating to the Directorates of Educational Research.

(ii) From the amount made available under clause (i) in any fiscal year—

(I) 50 percent of such amount shall be available to carry out subsection (d), relating to the National Directorate on Curriculum, Instruction and Assessment;

(II) 10 percent of such amount shall be available to carry out subsection (e), relating to the National Directorate on Early Childhood Learning, Families and Communities;

(III) 10 percent of such amount shall be available to carry out subsection (f), relating to the National Directorate on the Educational Achievement of Historically Underserved Populations;

(IV) 10 percent of such amount shall be available to carry out subsection (g), relating to the National Directorate on School Organization, Structure and Finance;

(V) 10 percent of such amount shall be available to carry out subsection (h), relating to the National Directorate on Postsecondary and Adult Education; and

(VI) 10 percent of such amount shall be available to carry out synthesis and coordination activities described in subsection (c)(1)(c).

(iii) Not less than 95 percent of funds appropriated pursuant to the authority of clause (i) in any fiscal year shall be expended to carry out this section through grants, cooperative agreements, or contracts.

(B) There are authorized to be appropriated $12,000,000 for fiscal year 1993 and such sums as may be necessary for each of the fiscal years 1994 through 1999 to carry out the provisions of subsection (c) relating to the salaries and expenses of the directorates of educational research.

(2) REGIONAL EDUCATIONAL LABORATORIES.—There are authorized to be appropriated $37,000,000 for fiscal year 1993 and such sums as may be necessary for each of the fiscal years 1994 through 1999 to carry out subsection (k), relating to the regional educational laboratories.

(3) OFFICE OF EDUCATIONAL DISSEMINATION.—There are authorized to be appropriated $5,000,000 for fiscal year 1993 and such sums for each of the fiscal years 1994 through 1999 to carry out subsections (m) and (k)(6), relating to the Office of Educational Dissemination and additional projects for regional education laboratories, respectively.

(4) TEACHER RESEARCH DISSEMINATION NETWORK.—There are authorized to be appropriated $20,000,000 for fiscal year 1993 and such sums as may be necessary for each of the fiscal years 1994 through 1999 to carry out subsection (l), relating to the Teacher Research Dissemination Network.

(5) NATIONAL DIFFUSION NETWORK STATE FACILITATORS.—There are authorized to be appropriated $10,000,000 for the fiscal year 1993 and such sums as may be necessary for each of fiscal years 1994 through 1999 to carry out subsection (n), relating to the National Diffusion Network State Facilitators.

(6) NATIONAL EDUCATION LIBRARY.—There are authorized to be appropriated $10,000,000 for fiscal year 1993 and such sums as may be necessary for each of the fiscal years 1994 through 1999 to carry out subsection (o), relating to the National Education Library.

(7) EDUCATION RESOURCES INFORMATION CLEARINGHOUSES.—There are authorized to be appropriated $7,000,000 for fiscal year 1993 and such sums as may be necessary for each of the fiscal years 1994 through 1999 to carry out subsection (p), relating to the Education Resources Information Clearinghouses.

(8) ADMINISTRATION OF FUNDS.—When more than 1 Federal agency uses funds to support a single project under this section, the Office may act for all such agencies in administering such funds.

SEC. 405A. OFFICE OF EDUCATIONAL TECHNOLOGY.

(a) ESTABLISHMENT.—

(1) OFFICE ESTABLISHED.—The Secretary shall establish within the Office of Educational Research and Improvement an Office of Educational Technology within 90 days of the date of enactment of the Office of Educational Research and Improvement Reauthorization Act.

(2) DIRECTOR.—The Office of Educational Technology (hereafter in this section referred to as the "Office") shall be headed by a Director, who shall be appointed by the Secretary and shall have demonstrated expertise and experience in the application of a broad range of technologies for instruction and educational management, and in planning and policy formulation pertaining to technology application at all levels in the education system. The Director shall be compensated at the rate of pay payable for level IV of the Executive Schedule.

(b) TECHNOLOGY BOARD.—The Assistant Secretary for Educational Research and Improvement shall appoint a Technology Board consisting of 11 members, of which—

(1) six such members shall have demonstrated competencies or expertise in developing technology systems;

(2) five such members shall have past and ongoing experience with education at the State or local school level; and

(3) at least three such members shall be educators with experience in using technology in the classroom.

(c) PERSONNEL.—In order to carry out the provisions of this section, the Director may appoint personnel in accordance with title 5, United States Code, and may compensate such personnel in accordance with the General Schedule described in section 5332 of title 5, United States Code.

(d) FUNCTIONS OF THE OFFICE.—The Secretary, through the Office, shall—

(1) provide leadership for policy development and coordinate technology related education activities within the Department of Education;

(2) administer the Star Schools Program, the activities of the Office of Training Technology Transfer, and any other technology programs the Assistant Secretary deems appropriate;

(3) consult, cooperate, and coordinate educational technology programs with analogous programs of other Federal agencies and initiate interagency agreements for joint funding of such programs;

(4) make recommendations for wider applications of the use of technology in Federal education programs;

(5) develop agreements with each of the directorates assisted under section 405 to ensure coordination of technology activities and policies and to guide such directorates in the use of technology in carrying out the duties of such directorates;

(6) provide guidelines to establish a technology education repository to house existing educational technology, including programming designed for the purpose of locating and disseminating information requested by teachers, administrators and other members of the public utilizing Federal data banks in order to avoid duplication;

(7) develop a proposal for a system to transfer to local school districts, schools and classrooms nationwide the information described in paragraph (6) via computer systems, visual transmission systems, including open broadcast, closed circuit, cable, microwave, or satellite transmission, the use of video cassettes, video discs, fiber optics, and other systems or devices which produce visual images, and other technological methods;

(8) develop a proposal for—

(A) developing a fair system for metering the use of the repository information described in paragraph (6) provided via an electronic network to local classrooms; and

(B) appropriately charging for copyrighted materials and computer access time; and

(9) promote the use of technology to assist the Office of Educational Research and Improvement in carrying out the dissemination activities of the Office of Educational Research and Improvement.

(e) TRANSFER OF THE OFFICE OF TRAINING TECHNOLOGY TRANSFER.—The Office of Training Technology Transfer as established under section 6103 of the Training Technology Transfer Act of 1988 is transferred to the Office.

(f) STUDY ON IMPLEMENTATION OF A NATIONAL TECHNOLOGY REPOSITORY AND TRANSFER SYSTEM.—

(1) IN GENERAL.—Upon completion of the guidelines for a technology education repository described in subsection (d)(6) and the development of a system to transfer such information to local school districts, schools and classrooms in accordance with subsection (d)(7), the Secretary shall provide for an independent study to—

(A) determine the estimated costs that would be incurred in the implementation of such repository and system; and

(B) assess the availability of technology at the local school district, school and classroom level to access the educational technology to be transmitted.

(2) SPECIAL RULE.—In carrying out the study described in paragraph (1), studies conducted by other Federal agencies may be utilized, if applicable.

(g) AUTHORIZATION OF APPLICATIONS.—There are authorized to be appropriated $3,000,000 for the fiscal year 1993 and such sums as may be necessary for each of the fiscal years 1994 through 1999 for salaries and expenses of the Office.

NATIONAL CENTER FOR EDUCATION STATISTICS

SEC. 406(a)(1). * * *

* * * * * * *

(2)(A) The Center shall be headed by a Commissioner of Education Statistics who shall be appointed by the President, by and with the advice and consent of the Senate. [The Commissioner of the National Center for Education Statistics shall have substantial experience and knowledge of programs encompassed by the National Center.] *The Commissioner of the National Center for Education Statistics shall possess substantial experience with or knowledge of the data collection efforts of the National Center, expertise mathematical statistics or statistical methodology, or extensive knowledge of uses of statistics for policy purposes. The Commissioner shall be paid in accordance with section 5315 of title 5, United States Code. The Commissioner shall serve for terms of 4 years, except that the initial appointment shall commnence June 21, 1991.*

* * * * * * *

[''(f)(1)(A) There are authorized to be appropriated $85,000,000 for fiscal year 1993 and such sums as may be necessary for each of the fiscal years 1994 through 1999 to carry out this section.

[''(B) There are authorized to be appropriated $15,000,000 for fiscal year 1993 and such sums as may be necessary for each of the fiscal years 1994 through 1999 for the salaries and expenses of the Center.'';]

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(g)(1) * * *

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(4)(A) * * *

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[(C) On the second Tuesday after Labor Day of 1989 and on each such Tuesday thereafter, the Center shall submit a report to the appropriate committees of the Congress of the dropout and retention rate prevailing on March 30 of each such year.]

(C)(i) The Commissioner shall submit to the Congress by January 1 of each year, beginning on January 1 of 1994, a report which describes the number of school dropouts in elementary and secondary schools in the United States. Such report shall contain statistical information on the number and percentage of elementary and secondary school students, who drop out of school each year, including statistical information stated by—

(I) race and ethnic origin of such students;

(II) rural and urban location in the United States (as defined by the Secretary) of such students; and

(III) the number of such students in individual States and the District of Columbia.

(ii) The report described in clause (i) shall utilize the single definition of school dropouts developed pursuant to section 6201(a) of the Elementary and Secondary Education Act of 1965.

(D) STATE INFORMATION.—(i) Each State shall provide to the Secretary such information as the Secretary may determine necessary to carry out the provisions of this section.

(ii) Each State submitting information to the Secretary pursuant to paragraph (1) may use funds received by the State educational agency under chapter 2 of title I of the Elementary and Secondary Education Act of 1965 to meet any costs associated with collecting the information described in paragraph (1) in the form required by the Commissioner of Education Statistics.

* * * * * * *

(i)(1) With the advice of the National Assessment Governing Board established by paragraph (5)(a)(i), the Commissioner shall carry out, by grants, contracts, or cooperative agreements with qualified organizations, or consortia thereof, a National Assessment of Educational Progress *(hereafter in this subsection referred to as the "National Assessment").* The National Assessment [of Educational Progress] shall be placed in the National Center for Education Statistics and shall report directly to the Commissioner for Educational Statistics. The purpose of the National Assessment is the assessment of the performance of children and adults in the basic skills of reading, mathematics, science, writing, history/geography, and other areas selected by the Board.

* * * * * * *

(2)(A) The National Assessment shall provide a fair and accurate presentation of educational achievement in skills, abilities, and knowledge in reading, writing, mathematics, science, history/geography, and other areas specified by the Board, and shall use sampling techniques that produce data that are representative on a national [and regional basis] and on a State basis pursuant to subparagraphs (C)(i) and (C)(ii). In addition, the National Assessment shall—

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(C)(i) * * *

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(iii) The National Assessment shall—

(I) conduct, in 1994, a trial mathematics assessment for the 4th and 8th grades and a trial reading assessment for the 4th grade, in States that wish to participate, for the purpose of determining whether such assessments yield valid and reliable State representative data;

(II) develop a trial mathematics assessment for the 12th grade and a trial reading assessment for the 8th and 12 grades, to be administered in 1994 in States that wish to participate, for the purpose of determining whether such assessments yield valid and reliable State representative data;

(III) conduct, in 1996, trial assessments in mathematics and reading, and plan for a trial assessment in science as determined by the Secretary and the National Assessment Governing Board established by paragraph 5(A)(i) for the 4th, 8th and 12th grades in States that wish to participate in such assessments, for the purpose of gaining additional information about

whether such assessments yield valid and reliable State-representative data; and

(IV) include in each such sample assessment referred to in subclauses (I) and (II) students in public and private schools in a manner that ensures comparability with the national sample.

[(iii)] *(iv)* The National Assessment shall ensure that a representative sample of students participate in such assessments.

[(iv)] *(v)* No State may agree to participate in the demonstration described in this subsection without full knowledge of the process for consensus decisionmaking on objectives to be tested, required in paragraph (6)(E), and of assessment demonstration standards for sampling, test administration, test security, data collection, validation and reporting. States wishing to participate shall sign an agreement developed by the Commissioner. A participating State shall review and give permission for release of results from any test of its students administered as a part of this demonstration prior to the release of such data. Refusal by a State to release its data shall not restrict the reporting of data from other States that have approved the release of such data.

[(v)] *(vi)* The Commissioner shall provide for an independent evaluation conducted by a nationally recognized organization (such as the National Academy of Sciences or the National Academy of Education) of the pilot programs to assess the feasibility and validity of assessments [and the fairness and accuracy of the data they produce] *, the fairness and accuracy of the data produced by the National Assessment, and important issues affecting the quality and integrity of the National Assessment.* The report shall also describe the technical problems encountered and a description about what was learned about how to best report data from the National Assessment of Educational Progress. The results of this report will be provided to the Congress and to States which participated in assessments pursuant to paragraph [(C) (i) and (ii)] *clauses (i), (ii), and (iii)* within 18 months of the time such assessments were conducted.

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(5)(A)(i) * * *

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(B) The Board shall be appointed by the Secretary in accordance with this subparagraph and subparagraphs (C), (D), and (E). The Board shall be composed of—

(i) * * *

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(x) two testing and measurement experts *who shall be psychometrians, educational psychologists, or measurement specialists, with extensive experience working on large-scale assessments;*

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(C)(i) The Secretary and the Board shall ensure at all times that the membership of the Board reflects regional, racial, gender and cultural balance and diversity and that it exercises its independent judgment, free from inappropriate influences and special interests.

No member of the Board may serve as a consultant to the Department of Education or serve on any other board, committee, panel, task force, or advisory body to the Department of Education simultaneously while serving on the Board.

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(iii) The Secretary may appoint, at the direction of the Board, for terms not to exceed 3 years, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, not more than 6 [technical employees to administer] *technical employees who by virtue of their education or training and experience are eminently qualified to assist the Board in administering this subsection who may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.*

(6)(A) * * *

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(E) Each learning area assessment shall have goal statements devised through a national consensus approach, providing for active participation of teachers, curriculum specialists, local school administrators, parents and concerned members of the general public, *except that no adoption, use or reporting of the achievement goals or statements shall be made until the Commissioner provides for an independent technical review of the replication and validation studies conducted by the Board.*

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(10) The Secretary of Education and the Secretary of Defense may enter into an agreement, including such terms as are mutually satisfactory, to include in the National Assessment the defense dependents education system established under the Defense Dependents' Education Act of 1978.

(11) The Secretary of Education and the Secretary of the Interior may enter into an agreement, including such terms as are mutually satisfactory, to include in the National Assessment schools for Indian children operated or supported by the Bureau of Indian Affairs.

(12) For the purpose of this subsection the term "State" means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, the Republic of Palau, the Federated States of Micronesia, and the Republic of the Marshall Islands.

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(k) Nothing in this section or in the Privacy Act of 1974 shall be interpreted to restrict the right of the Director of the Congressional Budget Office to secure information, data, estimates and statistics, including information identifying individuals, in the Center's possession, except that the same restrictions on disclosure that apply to the Center under subparagraphs (B) and (G) of subsection (d)(4) shall apply to the Congressional Budget Office.

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CARL D. PERKINS VOCATIONAL EDUCATION ACT

PART I—VOCATIONAL EDUCATION

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TITLE IV—NATIONAL PROGRAMS

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PART C—VOCATIONAL EDUCATION AND OCCUPATIONAL INFORMATION DATA SERVICES

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NATIONAL OCCUPATIONAL INFORMATION COORDINATING COMMITTEE

SEC. 422. (A) * * *

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(2) develop and implement, in cooperation with State and local agencies, an occupational information system to meet the common occupational information needs of vocational education programs and employment and training programs, *including postsecondary employment and training programs including postsecondary employment and training programs,*, at the national, State, and local levels, which system shall include data on occupational demand and supply based on uniform definitions, standardized estimating procedures, and standardized occupational classifications, including regularly updated data on employment demand for agribusiness;

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(b) Each State receiving assistance under this Act shall establish a State occupational information coordinating committee composed of representatives of the State board, the State employment security agency, the State economic development agency, the State job training coordinating council, *the State board or agency governing higher education* and the agency administering the vocational rehabilitation program. Such committee shall, with funds available to it from the National Occupational Information Coordinating Committee established pursuant to subsection (a)—

[(A)] *(1)* implement an occupational information system in the State which will meet the common needs for the planning for, and the operation of, programs of the State board assisted under this [Act and of] *Act of* the administering agencies under the Job Training Partnership Act *and of the State board or agency governing higher education*; and

[(B)] *(2)* use the occupational information system to implement a career information delivery system.

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(d) DATA COLLECTION SYSTEM.—In development and design of a system to provide data on graduation or completion rates, job placement rates from occupationally specific programs, and licensing rates, each State board for higher education shall develop a data

collection system whose results can be integrated into the occupational information system developed under this section.

[(d)] *(e)* Of amounts reserved under section 451(a)(3)(A) to carry out the provisions of this section, the Committee shall use—

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ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

PART I—ELEMENTARY AND SECONDARY PROGRAMS

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TITLE I—BASIC PROGRAMS

CHAPTER 1—FINANCIAL ASSISTANCE TO MEET SPECIAL EDUCATIONAL NEEDS OF CHILDREN

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PART A—BASIC PROGRAMS OPERATED BY LOCAL EDUCATIONAL AGENCIES

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PART D—PROGRAMS OPERATED BY STATE AGENCIES

Subpart 1—Programs for Migratory Children

SEC. 1201. GRANTS—ENTITLEMENT AND AMOUNT.

(a) * * *

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SEC. 1202. PROGRAM REQUIREMENTS.

(a) * * *

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(c) DEFINITIONS.—The Secretary shall continue to use the definitions of "agricultural activity", "currently migratory child", and "fishing activity" which were published in the Federal Register on April 30, 1985, in regulations prescribed under section 555(b) of the Education Consolidation and Improvement Act of 1981 and subpart 1 of part B of title I of the Elementary and Secondary Education Act of 1965 (as in effect on April 30, 1985), *except that notwithstanding any other provision of law, the definition of "currently migratory child" shall be modified to include a child who resides in a school district of more than 15,000 square miles and who migrates at least 20 miles to a temporary residence to enable the child, the child's parent, or a member of the child's immediate family to engage in fishing activity.* No additional definition of "migratory agricultural worker" or "migratory fisherman" may be applied to the provisions of this subpart.

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HIGHER EDUCATION AMENDMENTS OF 1986

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TITLE XIII—EDUCATION ADMINISTRATION

PART A—SECRETARIAL STUDIES AND EVALUATIONS

SEC. 1301. * * *

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SEC. 1308. SATISFACTORY PROGRESS STUDY.

(a) STUDY.—The Secretary is authorized to conduct a study of the satisfactory progress requirement described in section 484(c) of the Higher Education Act of 1965. Such study shall—

(1) examine whether there is a need to apply satisfactory progress requirements to institutions of higher education with short-term periods of instruction, such as less than 1 year, and how such requirements might be applied to such institutions; and

(2) examine whether there is a need to apply such requirements to the first year of instruction, and in particular, examine the problems the first year students may have in adjusting to the rigors of postsecondary instruction and assess whether there is a need to provide an initial year before the satisfactory progress requirements are applied.

(b) DATE.—The study described in subsection (a) shall be completed not later than January 1, 1995.

(c) REPORT.—

(1) IN GENERAL.—The Secretary shall submit a report to the Congress on the study described in subsection (a) that—

(A) assesses how such satifactory progress requirements are working; and

(B) makes recommendations on how such satisfactory progress requirements may be strengthened.

(2) REPORT.—The report described in paragraph (1) shall be completed not later than July 1, 1995.

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OMNIBUS TRADE AND COMPETITIVENESS ACT OF 1988

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TITLE VI—EDUCATION AND TRAINING FOR AMERICAN COMPETITIVENESS

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Subtitle B—Technology and Training

CHAPTER 1—TRANSFER OF EDUCATION AND TRAINING SOFTWARE

SEC. 6101. * * *

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SEC. 6108. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated $3,000,000 for fiscal year 1993 and such sums as may be necessary for each of the fiscal years 1994 through 1999 to carry out this chapter.

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TITLE 5—UNITED STATES CODE

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§ 5101. Purpose

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§ 5315. Positions at level IV

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[Assistant Secretaries of Education (6).**]**
Assistant Secretaries of Education (10).

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§ 5316. Positions at level V

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[Additional officers, Department of Education (4).**]**

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TITLE 20—UNITED STATES CODE

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§ 4085b. Evaluation

(a) IN GENERAL.—From amounts appropriated pursuant to the authority of section 4082(b) of this Act the Secretary shall reserve the **[**greater**]** *lesser* of not more than $500,000 or 5 percent of such appropriations to conduct an independent evaluation by grant, contract or cooperative agreement, of the Star Schools Assistance Program.

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